

*A compilation of
Acts, Regulations & Rules
under LAADC*



VOLUME-I

COMPILED & PUBLISHED BY
ART & CULTURE DEPARTMENT
LAI AUTONOMOUS DISTRICT COUNCIL
LAWNGTLAI

**A Compilation of Acts,
Regulations & Rules
Under LADC**

COVER DESIGN: COLLINS CHINZAH

PUBLISHED BY
ART & CULTURE DEPARTMENT
LAI AUTONOMOUS DISTRICT COUNCIL, LAWNGTLAI

Published by
Art & Culture Department
Lai Autonomous District Council, Lawngtlai

Edition - 2010
Copies - 500

Copyright reserved

Design: Collins Chinzah



Printed at
Lengchawn Press
Bethel House : Khatla
Aizawl – 796001 : Mizoram
:(: 0389 – 2334160/9436140202

CONTENT

	Page
<i>Foreword</i>	ix
<i>Behmaithi</i>	xi
1. The Pawi-Lakher Autonomous Region (Constitution of Regional Council Rules, 1952)	1
2. The Pawi-Lakher Autonomous Region (Constitution of Regional Council) [Amendment] Act, 1957	15
3. The Pawi-Lakher Regional Council (Procedure and Conduct of Business) Rules, 1952	23
4. The Pawi-Lakher Autonomous Region (Procedure and Conduct of Business) [Amendment] Act, 1954	35
5. The Pawi-Lakher Autonomous Region (Procedure and Conduct of Business) [Second Amendment] Act, 1961	41
6. The Pawi-Lakher Autonomous Region (Reduction of Fathang) Act, 1953	41
7. The Pawi-Lakher Autonomous Region (Social Customs and Practices) Act, 1953	43
8. The Pawi-Lakher Autonomous Region (Social Customs and Practices) Act, 1954	45
9. The Pawi-Lakher Autonomous Region (Social Customs and Practices Repealing) Act, 1960	47

10.	The Pawi-Lakher Autonomous Region (Social Customs and Practices) Act, 1960	48
11.	The Pawi-Lakher Autonomous Region (Forest) Act, 1954	50
12.	The Pawi-Lakher Autonomous Region (Forest) [Amendment] Act, 1957	55
13.	The Pawi-Lakher Autonomous Region (Forest) [Amendment] Act, 1961	56
14.	The Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1954	58
15.	The Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1956	60
16.	The Pawi-Lakher Autonomous Region (Revenue Assessment) [Amendment] Regulation, 1959	64
17.	The Pawi-Lakher Autonomous Region (Revenue Assessment) [Amendment] Regulation, 1958	66
18.	The Pawi-Lakher Autonomous Region (Revenue Assessment) [Second Amendment] Regulation, 1959	68
19.	The Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1963	69
20.	The Pawi-Lakher Autonomous Region (Administration of Justice) Rules, 1954	75

21.	The Pawi-Lakher Autonomous Region (Administration of Justice) [Amendment] Act, 1958	110
22.	The Pawi-Lakher Autonomous Region (Administration of Justice) [Second Amendment] Act, 1959	112
23.	The Pawi-Lakher Autonomous Region (Village Councils) Act, 1954	113
24.	The Pawi-Lakher Autonomous Region (Village Councils) [Amendment] Act, 1961	124
25.	The Pawi-Lakher Autonomous Region (Election to Village Council Rules) 1955	131
26.	The Pawi-Lakher Autonomous Region (Jhum) Regulation, 1956	147
27.	The Pawi-Lakher Autonomous Region (Inheritance of Property) Act, 1959	153
28.	The Pawi-Lakher Autonomous Region (Agricultural land) Act, 1960	160
29.	The Pawi-Lakher Autonomous Region (Land and Revenue) Act, 1960	163
30.	The Pawi-Lakher Autonomous Region (Marriage and Divorce) Act, 1960	171
31.	The Pawi-Lakher Autonomous Region (Hnatlang) Act, 1962	173
32.	The Assam High Court (Jurisdiction over Regional Council Courts) Orders, 1959	177

33.	The Assam Lushai Hills District (Acquisition of Chiefs' Rights) Act, 1954	182
34.	Pawi-Lakher Region Hnam dân	194
35.	General	226
36.	Location and custody of money of and payments to the Regional Fund	232
37.	Withdrawal of Money from the Regional Fund	239
38.	Preliminary	253
39.	Regional Council-Composition-Officers- Executive Committee	257
40.	Conduct and Procedure of Business	267
41.	Elections	305

Executive Member
i/c Art & Culture etc.
Lai Autonomous District
Council, Lawngtlai-796891



☎ : 232799 (O)
Inter : 233
Date 1/6/2010

FOREWORD

It is pleasant to know that the Art & Culture Department, Lai Autonomous District Council, has been able to publish “Compilation of Acts, Rules, Regulations, etc passed by the Council since its establishment in 1953 when it was then known as Pawi Lakher Regional Council upto how it has become to be called the Lai Autonomous District Council today.

I hope the Department may compile and again Publish the Acts, Rules, etc. that will be passed by the Council in the next volume and wish them all success.

Thank You.

(SAMUEL CHINZAH)
Executive Member
i/c Art & Culture Department etc.
Lai Autonomous District Council
Lawngtlai, Mizoram



Art & Culture Officer
Lai Autonomous District Council
Lawngtlai, Mizoram

Date 1.6.2010
Ph : 233536 (O)

BEHMAITHI

Art & Culture Department, Lai Autonomous District Council nih Council a dir thawkin nihin ni tiang i 'UPADI' a rak tuahser cia mi cu khawmh i a bu i tuah ser dingin hma a lak. Upadi kan rak neih cia mi thate i a rak ngei mi sin in zeimaw zat cu lak asi lio ah, a rak ngei tha mi an tam lo ruangah a hmuh a har ngai. A tu ah Volume-I kan chuah khawh hi lawmawm ka ti.

Volum-I ah hin Pawi-Lakher Regional Council kan si thawkin District Council kan si karlak mi 'UPADI' chiah asi i, a tlamtling lo mi a um sual kho, cuban tuk a kim lo mi a hngalmi kan um asi ah cun nan kan chimh kan nawl fawn hna.

Mahhi Cabu tuahser naak ah hian thazang chuah i hma la tu hna cu.

1. Dr. R.T. Hnialum, Principal Secy. (Rtd.)
2. Pu H. Lalruatkima, Art & Culture Officer.
3. Pu Vanhrin Nilian Chinzah, Research Officer, an si.

Volume-II ah hian District Council kan si thawk i, a tutiang Upadi kan ngeih mi chiah ding asi caah, a tam deuh ruang ah Volum - III tiang tuah asi than te la.

Mahni Cabu a tlamtlin khawh nak dingi thazang chuah i ruahnak a kan petu Pu Samuel Chinzah, Executive Member, sinah lungthin tein lung lawmhnak bia ka chim. Cupin ah a thil

cin ken mi le a hngalhnak vialte he a kan bawmtu Dr. R.T. Hnialum, Principal Secretary (Rtd) LADC, sinah lunglawmhnak biak ka chimfawm. Cupin ah kan tuanpi mi Officer leh Staff sinah an ka bawmh nakah lung lawmhnak ka chim i, Lengchhawn Press nih thate i a kan chutpiak caah lunglawmhnak bia an sinah ka chim.

Mah Cabu hi Lai Autonomous District Council Office chung i a tuan mi vialte le, Lai mipi nih 'UPADI' hngalh nak le hmailei caan kan fian khoh naak ca ding i tuahser asi.

Kai lawm.

A handwritten signature in black ink, appearing to read 'H. Lalruatkima' with a date '1/6/10' written below it.

(H. LALRUATKIMA)

The 20th May 1952

No TAD/R/3/52/15 – In exercise of the powers conferred by clauses (a), (b), (c), (d), (e) and (f) of sub paragraph (6) of paragraph 2 of the Sixth Schedule to the Constitution of India, the Government of Assam is pleased to make the following rules for the first constitution of the Regional Council for the Pawi-Lakher Autonomous Region in the Lushai Hills District.

PART I

Preliminary

1. Title and Commencement

- (1) These rules may be called the Pawi-Lakher Autonomous Region (Constitution of Regional Council) Rules, 1952.
- (2) They shall come into force at once.

2. Definitions – In these rules, except where it is otherwise expressly provided or the context otherwise requires –

- (a) “Autonomous District” means an area deemed as such under paragraph 1 (1) of the Sixth Schedule to the Constitution of India.
- (b) “Autonomous Region” means the Pawi-Lakher Autonomous Region constituted as such under paragraph 1 (2) of the Sixth Schedule to the Constitution of India by notification No. TAD/R. 10/50 dated the 31st July 1951.
- (c) “Chairman” means the Chairman of the Regional

Council and includes any person for the time being performing the duties of the Chairman.

- (d) “Constitution” means the Constitution of India.
- (e) “Constituency” means a constituency for the purpose of elections to the Regional Council of the Pawi-Lakher Autonomous Region.
- (f) “Corrupt practice” and “illegal practice” shall have the same meanings as assigned to them by rule 2 of the Assam Autonomous Districts (Constitution of District Council) Rules, 1951, references to an election in relation there to being construed as referring to an election to fill a seat or seats in the Regional Council of the Pawi-Lakher Autonomous Region.
- (g) “District Council” means the District Council of an Autonomous District constituted under the provision of the Schedule and in accordance with the Assam Autonomous Districts (Constitution of District Councils) Rules, 1951 as subsequently amended.
- (h) “Election” means an election to fill a seat or seats in the Regional Council of the Pawi-Lakher Autonomous Region.
- (i) “Elector” in relation to a constituency means a person whose name is for the time being entered in the electoral roll of that constituency.
- (j) “Gazette” means the Assam Gazette.
- (k) “Governor” means the Governor Assam
- (l) “Scheduled Tribes” means such tribes as are specified by order made by the President under Article

342 (1) of the Constitution as modified by law made by Parliament from time to time, in so far as the specification pertains to the autonomous districts of Assam.

- (m) “Schedule” means the Sixth Schedule to the Constitution.
- (n) “Regional Council” means the Regional Council of the Pawi-Lakher Autonomous Region constituted under the provision of the Sixth Schedule to the Constitution and in accordance with these rules.

Note : Any expressions not defined in these rules, but occurring therein, shall be deemed to have the same meaning in which they are used in the Constitution.

Interpretation in case of doubt

1. Except where the context otherwise requires, the General Clauses Act, 1897 and the Assam General Clauses Act, 1915 shall apply for the interpretation of these rules as they apply for the interpretation of an Act of Parliament or of the Legislature of the State of Assam, as the case may be.
2. Subject to the provisions of Sub-rule (1), if any question arises as to the interpretation of these rules it shall be referred for the decision of the Governor and decision of the Governor shall be final.
2. **Provision for Removal of difficulties** – If any difficulty arises as to the holding of any election to the Regional Council under these rules, or any other matter connected therewith, the Governor may, by order, do anything not inconsistent with these rules or any provisions of the Con-

stitution or any order made thereunder or an Act of Parliament or of the Legislature of the State of Assam, which appears to him to be necessary for the proper holding of elections to the Regional Council.

PART II

Composition of Regional Council and Constituencies

5. Constitution of Regional Council

- (1) There shall be a Regional Council for the Pawi-Lakher Autonomous Region as constituted under sub-paragraph (2) of paragraph (1) of the Sixth Schedule to the Constitution as defined in Notification No. TAD/R/15/50. dated the 31st July 1951.

Note : Notification No. TAD/R/10/50, dated the 31st July 1951 as corrected by No. TAD/R/10/50/156 dated the 13th October 1951 is reproduce in Appendix I to these rules.

- (2) The Regional Council shall be a body corporated by the name of “The Regional Council of the Pawi-Lakher Autonomous Region” and shall have perpetual succession and a common seal and shall by the said name sue and be sued.

6. Composition of Regional Council

- (1) The Regional Council of the Pawi-Lakher Autonomous Region shall consist of twelve members of whom ten shall be elected and two nominated, as provided for hereinafter in these rules.
- (2) The contituencies for election to the Regional Council shall be territorial. The constituencies, the extent

thereof and the number of seats to be filled in each of them shall be as specified in Appendix II to these rules.

- (3) The nominated members shall be appointed by the Governor and members so appointed shall hold office during the pleasure of the Governor

7. Duration of Regional Council

- (1) The Regional Council, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting.

Provided that the said period may be extended by the Governor, by notification in the Gazette for a period not exceeding one year at a time.

- (2) Subject to the provisions of sub-rule (3) of rule (6), all members, both elected and nominated, shall hold office during the life of the Regional Council.

Provided that member elected or nominated to fill a casual vacancy shall hold office for the remainder of the term of office of the member whom he replaced.

PART III

Qualifications and Disqualifications of members.

- 8. Qualifications for Memberships** – A person shall not be qualified to be elected as a member of a Regional Council unless he –

- (a) is a citizen of India
- (b) is not less than twenty five years of age and
- (c) is entitled to vote at the election of Members of the Regional Council

9. Vacations of Seats

- (1) No person shall be eligible to be elected to more than one seats in the Regional Council.
- (2) If a member of the Regional Council resigns his seat by writing under his hand addressed to the Chairman, his seat shall become vacant.
- (3) If for a period of thirty days a member of the Regional Council is, without the permission of the Council, absent from all meetings thereof, the Council may declare his seat vacant.

Provided that in computing the said period of thirty days no account shall be taken of any period during which the Council is prorogued or is adjourned for more than three consecutive days.

- (4) Where a seat becomes vacant under the provisions of sub-rule (2) or (3), the Governor shall, by notification in the Gazette, declare it to be so vacant.

10. Disqualifications for Memberships

- (1) A person shall be disqualified for being elected as and for being, a member of a Regional Council
 - (a) if he is a salaried servant of the Government of India or the Government of any State specified in the first Schedule to the Constitution or is an employee of a District Council or of the Regional Council.

- (b) if he is of unsound mind and stands so declared by a competent court, or such other authority as may be recognised by the Government.
- (c) if he is undischarged insolvent.
- (d) if he is not a citizen of India or has voluntarily acquired the citizenship of a foreign state, or is under any acknowledgement of allegiance or? to a foreign state.
- (e) if, whether before or a after the commencement of these rules, he has been convicted, or has, in proceedings for questioning the validity or regularity of an election, been found to have been guilty, of any offence or corrupt or illegal practice which has been declared as such by any law to be an offence or practice entailing disqualification for membership of the Regional Council unless such period as prescribed by law in this behalf has elapsed
- (f) if, whether before or after the commencement of these rules, he has been convicted by a court in India or any offence and sentenced to transportation or to imprisonment for not less than two years, unless a period of five years, or such less period as the Governor may allow in any particular case, has elapsed since his release.
- (g) if, having been nominated as a candidate for a member of the Regional Council or having acted as an election agent of any person so nominated, he has failed to lodge a return of election expenses within the time and in the

manner prescribed by law, unless five years have elapsed from the date on which the return ought to have been lodged or the Governor has removed the disqualification.

- (h) if, having held any office under the Government of India or the Government of any State or the District Council of any autonomous district or the Regional Council, he has, whether before or after the commencement of these rules, been dismissed for corruption or disloyalty to the state, unless a period of five years has elapsed since his dismissal.

Provided that

- (i) a disqualification under clause (e) or clause (f) of this sub-rule shall not, in the case of a person who becomes so disqualified by virtue of a conviction or a conviction and a sentence and is at the date of the disqualification a member of the Regional Council, take effect until three months have elapsed from the date of such disqualification, or, if within these three months an appeal or petition for revision is brought in respect of the conviction or the sentence, until the appeal or petition is disposed of;
- (ii) a disqualification under clause (g) of this sub-rule shall not take effect until the expiration of two months from the date by which the return of the election expenses ought to have been lodged or of such longer period as the Governor may in any particular case allow;

- (iii) a disqualification under clause (h) of this sub-rule may in the case of the candidates for the first elections under these rules, be removed by the Governor for reasons to be recorded by him in writing.
- (2) For the purpose of these rule a person shall not be deemed to be an employee of a District Council by reason only of his being a member of the Executive Committee of that District Council.
- (3) Nothing in this rule shall restrict the power of the Governor to nominate a person who is a salaried servant to be a number of the Regional Council but a member so nominated shall not be entitled to vote on any matter during the proceeding of the Council.

11. Decision on question as to disqualification of members

If any question arises as to whether a member of the Regional Council has become subject to any of the disqualifications mentioned in sub-rule (1) of rule 10 the question shall be referred for the decision of the Governor and his decision shall be final.

PART IV

Elections

- 12.** The rules 124 to 217 of the Asam Autonomous District (Constitutions of District Councils) Rules 1951 and published with Notification No. TAD/R/23/51 dated the 15th October 1951 and subsequently amended, shall apply in respect of election to the Regional Council of the Pawi-

Lakher Autonomous Region, subject to the following modifications –

Modifications

1. Throughout these rules and the appendices thereunder, except as otherwise provided–
 - (a) for the words “the District Council”, “the District Council of an Autonomous District” or “a District Council” as the case may be the words the Regional Council of the Pawi-Lakher Autonomous Region shall be substituted;
 - (b) references to an “election” and “a constituency” or “Constituencies” shall be construed as referring respectively to an election and a constituency or constituencies for the purpose of election to the Regional Council of the Pawi-Lakher Autonomous Region.
2. In rule, 127, for the words “in rule 8 or 17” the words “in rule 8 or 10 of the Pawi-Lakher Autonomous Region (Constitution of Regional Council) Rules, 1952” shall be substituted.
3. In rule 129, the following sub-rule shall be inserted –

“(5) Notwithstanding anything contained in sub-rules (2), (3) and (4), the electoral roll of a Constituency of the District Council of the Lushai Hills Autonomous District, or so much of it as relates to the areas comprised within the constituency of the Regional Council of the Pawi-Lakher Autonomous Region shall be deemed to be the electoral roll for such constituency of the Regional Council.”

APPENDIX I

(Rules 5)

Notification constituting the Pawi-Lakher Autonomous Region.

The 31st July 1951

No. TAD/R/10/50 – In exercise of the powers conferred under sub-paragraph (2) of paragraph 1 of the Sixth Schedule to the Constitution of India, the Governor is pleased to constitute the Pawi-Lakher area of the Lushai Hill District, as defined in the Schedule below, as an autonomous region.

SCHEDULE

Boundary of the Pawi-Lakher Region

North – Starting from the confluence of the Tuipui and Tuipui rivers on the eastern boundary of the Lushai Hills District, the boundary runs north-westward down the Tuipui or Kolodyne river to its confluence with the Pangkhawlui; thence up the later to its source to the west of survey station (height 4530) north of Village Sangau, thence in south-western direction along the ridge to the saddle above the source of Ralzo Lui and then down Ralzo Lui; to its confluence with Darzo lui; thence down the later to its confluence with the Kolodyne river, thence down the Kolodyne to its confluence with the Sahri Lui, thence up the Sahri Lui to its confluence with Sahripeng stream; thence up the Sahripeng to its source in the saddle north of village Thingkah is thence across the saddle and down the small stream known as Leisekawt Lui (Thingkah Lui) to its confluence with Serva Lui, thence down the later to its confluence with the Mengpui Lui, thence down the Mengpui Lui to its confluence with

Kawrawng Lui; thence up the later to its source on the Lungphunkawn (Mautlangthutkawn); thence across the saddle of Lungphunkawn and down a small stream till it meets the Dam lui; thence down Dam lui to its confluence with Chawngvunga Sekah Lui; thence down the later to its confluence with Chawngte Lui; thence down the Chawngte lui to its confluence with the Tuichawng; thence down the later to its confluence with Saihasei Lui; thence up the Saihasei Lui to its source on the Vaizawlkawn saddle, thence in a westernly direction across the Uiphumtlang range to the source of the Sihsang Lui; thence down the Sihsang Lui to its confluence with the Kawrpui (Thega), on the western boundary of the Lushai Hills District.

West – From the last mentioned point the boundary runs in a southerly direction along the western boundary line of the Lushai Hills District as described in Government Notification No. 2166-AP dated the 9th March, 1933 as amended by Notification No. 325 GS, dated the 29th January 1938 and No. 7051-GJ, dated the 17th November 1938.

South - Thence the boundary runs in an easterly direction along the southern boundary of the Lushai Hills District as described in Government Notification No. 2106-AP, dated the 29th March 1938, as amended by Notification No. 326-GS, dated the 29th January, 1938.

East - The boundary thence runs northwards along the eastern boundary of the Lushai Hills District as described in Government Notification No. 2106-AP, dated the 9th, March 1933 upto the starting point.

R.V. SUBRAHMANIAN
Secretary to the Government of Assam
Tribal Areas Department

APPENDIX II

[Rule 6 (2)]

Royal Council Constituencies

Name of Constituency	Extent of Constituency (Village including sub Villages)	No. of Seats
Constituency No.1	Sangau, Pangkhua, Thaltlang Cheural, Lungtian, Vartek Fungkah, Rawlbuk	1
Constituency No. 2	Vawmbuk, Archhuang Pangrang, Tialdawngilung Lungpher, Lungzarhtum Bualpui, Chhuarlung Niawhtlang and Lungbun	1
Constituency No. 3	Lawngtlai, Chawnhu, Mampui Thingkah, Chawngtlang, Khamchungbuk, Paithar Rulkual, Saikah, Tuipui and Saizawh.	1
Constituency No. 4	Mualbu Kawnpui, Fangfarlui Bungtlang, Tuithumhnar Ngengpuitlang, Hmawngbu, Hmawngbuchhuah, Saibawh, Diltlang, Dilkhan, Karlui Saikhawthlir, Pandawnglui, Damlui, Nghalimlui, Mualbu Buhvum, Thalsora, Sakeilui, Mualbului, Sumsilui and Chawngte,	1

Constituency No. 5	Saisih, Serhmun, Charlui Devasori, Lokhisuri, Lokhisuritlang, Konda, Uiphum, Telpuiluichhuah, Lilamkharchhuah, Ukdasuri, Borakovakhali I, Borakovakhali II and Chhotakovakhali	1
Constituency No. 6	Saizawh, Serlui, Saizawhchhuah Chengkawlluichhuah, Silsuri, Basesora, Ngharumlui, Kanghmun Sakhai, Ngharumtlang, Udasuri, Jarulsuri I, Geraguluksora, Jarulsuri II, Gurualambasora I, Gurualambasora II, Borapansuri, Bekabekia, Songrasuri I, Songrasuri II, Chhotaponsuri and Ulkulsuiri	1
Constituency No. 7	Tuipang, Tuipang MV, Latawh, Serkawr, Langban, Lawngdawh, Tongkolawng, Isa, Longmasu and Kaisih	1
Constituency No. 8	Zawngling, Khuhlu, Khopai, Laki, Lungpuk, Mipu, Vahai, Vahai Leilet, Mawhre, Siata, Aiak, Nghalpuikah, Tuisih, Chakhang and Chapui	1
Constituency No. 9	Phalhrang, Saihatlang, Riasikah, Rawmibawk, Tuisumpui, Saiha, Maubawk, Thingsen, Theiva and Theiri	1

R.V. SUBRAHMANIAN
Secretary to the Government of Assam
Tribal Areas and Development Department

The 30th January 1958

No. RCL 5/58/44 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council is hereby published for general information –

ACT NO I OF 1958

**THE PAWI-LAKHER AUTONOMOUS REGION
(CONSTITUTION OF REGIONAL COUNCIL)
(AMENDMENT) ACT, 1957**

Preamble – Whereas it is expedient further to amend the Pawi-Lakher Autonomous Region (Constitution of Regional Council) Rules, 1952 published with the Governor of Assam, Tribal Areas Department Notification No. TAD/R/3/52/15, dated the 20th May 1952, hereinafter referred to as the Principal Rules.

It is hereby enacted in the eight year of the Republic of India as follows –

1. **Short Title and Commencement**

- (1) The Act may be called the Pawi-Lakher Autonomous Region (Constitution of Regional Council) (Amendment) Act, 1957
- (2) It shall come into force at once.

2. In rule 6 (1) of the Principal Rules, substitute “ten” for nine and “two” for “three”

3. In the Principal Rules, the following shall be substituted for sub-rule (3) of rule 12

- “(3) (a) In sub-rule 4 of Rule 129, delete the words “Section 24 of”

(b) In rule 129, the following sub-rule shall be inserted :

“(5) Notwithstanding anything contained in sub-rule (2) (3) and (4) the electoral roll of a constituency of the District Council of the Mizo Autonomous District, or so much of it as related to the areas comprised within a constituency of the Regional Council of the Pawi-Lakher Autonomous Region shall be deemed to be the Electoral roll for such constituency of the Regional Council”

(c) In rule 216 read with the note thereunder and “B” in appendix XIII to the Assam Autonomous District (Constitution of District Council) Rules, 1951, substitute the words “Rules 142 and 143” for “rule 122 and 123” and “Rules 1956” for “Rules 1951” wherever they occur”.

4. For appendix XIII to the Principal Rules, the following shall be substituted –

APPENDIX III

[RULES 6 (2)]

No. of Constituency	Extent of constituency (Villages including sub- villages)	No. of Seats
1.	1. Saiha 2. Lungzarhtum 3. Saihatlang 4. Thingsen 5. Rawmibawk 6. Riasikah	I

- | | | |
|----|----------------------|---|
| | 7. Tuisumpui | |
| | 8. Tuipui (Saihakap) | |
| | 9. Maubawk L | |
| | 10. Maubawk Ch | |
| | 11. Theiva | |
| 2. | 1. Lungpher | |
| | 2. Bualpui | |
| | 3. Phalhrang | |
| | 4. Fungkah | I |
| | 5. Lungtian | |
| | 6. Rawlbuk | |
| | 7. Vartek | |
| 3. | 1. Sangau | |
| | 2. Cheural | |
| | 3. Pangkhua | |
| | 4. Thalthang | |
| | 5. Vawmbuk | I |
| | 6. Pangrang | |
| | 7. Archhuang | |
| | 8. Tialdawngilung | |
| | 9. Hnahvut Leilet | |
| | 10. Serzawl | |
| 4. | 1. Lungbun | |
| | 2. Niawhtlang | |
| | 3. Chhuarlung | |
| | 4. Siata | |
| | 5. Ainak | I |
| | 6. Chapui | |
| | 7. Khuhlei | |
| | 8. Tuisih | |

18

9. Chakhang
10. Nghalpuikah

5.

1. Zawngling
2. Mawhre
3. Laki
4. Khopai
5. Ahmepi
6. Serkawr
7. Tuipang L
8. Tuipang V
9. Theiri

I

6.

1. Mampui
2. Khamchungbuk
3. Chawngtlang
4. Lawngtlai
5. Chawnhu
6. Thingkah
7. Paithar
8. Saikah
9. Tuipui I.B
10. R. Vanhne
11. Rulkual
12. Saizawh
13. Ngengpuichhuah

I

7.

1. Tongkolong
2. Longmasu
3. Isa
4. Lawngban
5. Lungdar

I

6. Latawh
 7. Vahai
 8. Kaisih
 9. Lungpuk
 10. Mipu
- 8.
1. Hmawngbu
 2. Hmawngbuchhuah
 3. Tuithumhnar
 4. Bungtlang
 5. Ngengpuitlang
 6. Mualbu K
 7. Fangfar
 8. Sekulh
 9. Dilkhan
 10. Saikhawthlir
 11. Pandawnglui
 12. Damlui
 13. Nghalim lui
 14. Karlui
 15. Mualbu L
 16. Chawngtechhuah
 17. Buhvum
 18. Diltang
 19. Zochachhuah
 20. Serluichhuah
- 9.
1. Saizawh W
 2. Chengkawllui
 3. Saizawhchhuah
 4. Bessesora
 5. Ngharum

6. Chawngte (Mualbu)
7. Sumsilui (Mualbu)
8. Uiphum
9. Kawrthindeng (Uiphum)
10. Lilamkham
11. Serlui
12. Sertlang
13. Sakeilui
14. Kawrthindeng (Serlui)
15. Mualbu
16. Buhvum
17. Bekabekia
18. Chhotapansuri (Kanghmun)
19. Kanghmun
20. Songrasury (Saizawh)
21. Borapansuri (Kanghmun)
22. Sakhai
23. Gurualamhosara (Kanghmun)
24. Ukulsuri Kanghmun
25. Thersora
26. Pansuri
27. Ukulsuri
28. Boruasuri

10.

1. Lokhisury
2. Lokhisurytlang
3. Konda(Saisih)
4. Saisih
5. Vaseitlang
6. Borakovakhali (Saisih)
7. Serhmun
8. Dovaisuri

9. Charlui
 10. Jamaisuri
 11. Udasuri (Uiphum)
 12. Chhotagoakhali
 13. Borakovakhali (Uiphum)
 14. Jarulsury
 15. Geraguluksora
 16. Ukdarury (Serlui)
 17. Gulsingbaksora
 18. Songrasuri (Kanghmun)
 19. Karluichhuah
 20. Rengary
 21. Kongdasury
 22. Pugsury
 23. Chhotagoakhali (Uiphum)
4. **Savings** - Nothing in the above amendments shall apply to the composition of the Pawi-Lakher Regional Council as Constituted under the provisions of the Sixth Schedule and in accordance with the principal rules prior to the enactment of this Act.

HENGMANGA
Chairman, Pawi-Lakher Regional Council

The 5th March, 1960

No. TAD/R/10/50/188. In exercise of the powers conferred under sub paragraph (2) of paragraph I of the Sixth

Schedule to the Constitution of India, the Governor of Assam is pleased to redefine as below, the northern boundary of the Pawi-Lakher Autonomous Region of the Mizo District, as constituted in this Department Notification No TAD/R/10/50, dated the 31st July, 1951.

North - Starting from the confluence of the Tyro and Tuipui rivers on the eastern boundary of the Lushai Hills District, the boundary runs northwest-ward down the Tuipui or Kolodyne river to its confluence with the Pangkhawlui; thence up the later to its source to the west of survey station (height 4350 ft) north of village Sangau; thence in a south-western direction along the ridge of the saddle above the source of Ralzo lui and thence down Ralzo lui to its confluence with the Kolodyne river; thence the Kolodyne to its confluence with the Sahri lui, thence up the Sahri lui to the junction of three streams and from this to the source of a stream called Thingkah lui along the ridge of Tawi tlang where the Servate lui has its source. Down the Servate lui to the junction of Mengpui Lui; an down the Mengpui Lui to its confluence with the Kawrawng lui; thence up the Kawrawng Lui to the Lungphun kawn thence to the source of a small unnamed stream (Luite); down this stream to its confluence with the Tuichawng; thence down the Chawngte Lui to its confluence with Tuichawng; thence down the later to its confluence with the Saihasei lui; thence up the Saihasei Lui to its source on the Vaizawlkawn saddle; thence in a western direction across the Uiphumtlang range to the source of the Sihsang Lui; thence down the Sihsang lui to its confluence with Kawrpui (Thega) on the western boundary of the western boundary of the Lushai Hills District.

R.B. Vaghaiwalla
Secretary to the Govt. of Assam
Tribal Areas Department

The 27th December 1952

No TAD/R/3/52 – In exercise of the powers conferred by such paragraph 2 of the Sixth Schedule of the Constitution of India, the Governor of Assam is pleased to make the following rules for the first Constitution of the Regional Council for the Pawi-Lakher Autonomous Region in the Lushai Hills District.

CHAPTER I

Preliminary

1. Title and Commencement
 - (1) These rules may be called the Pawi-Lakher Regional Council Procedure and Conduct of Business) Rules, 1952
 - (2) They shall come into force at once.
2. **Definition** – In these rules, unless the context otherwise requires–
 - (a) “Regional Fund” means the Regional Fund of the Pawi-Lakher Autonomous Region, constituted under paragraph 7 of the Sixth Schedule to the Constitution of India.
 - (b) “Sub-divisional Officer” means the Sub-divisional Officer, Lungleh

Note : Any expressions not defined in these rules but occurring therein shall be deemed to have a same meaning as in the constitution and in the Pawi-Lakher Autonomous Region (Constitution of Regional Council) Rules 1952, published with Notification No. TAD/R/3/58/15 dated the 20th May 1972.

3. Interpretation in case of doubt

- (1) Except where the context otherwise requires the General clauses Act, 1897, and the Assam General clauses Act, 1915, shall apply for the interpretation of these rules as they apply for the interpretation of an Act of Parliament or of the Legislature of the State of Assam, as the case may be.
- (2) Subject to the provisions of sub-rule (1) if any question arises as to the interpretation of these rules, it shall be referred for the decision of the Governor and the decision of the Governor shall be final.

Provision for removal of difficulties

If any difficulty arises as to the functioning of the Regional Council under these rules, or any other matter connected therewith, the Governor may, by order, do anything not inconsistent with these rules or any provision of the constitution or any order made thereunder or an Act of Parliament or of the Legislature of the State of Assam, which appears to him to be necessary to enable the proper functioning of the Regional Council.

CHAPTER II**OFFICER OF THE REGIONAL COUNCIL****5. Chairman and Chief Executive**

- (1) The Regional Council shall have a Chairman and Chief Executive. The Subdivisional officer shall be the Chairman and Chief Executive of the council for a period of one year with effect from the date of its being summoned for the first time under the rules, or

till such time as the council passes a resolution asking for an elected Chairman and Chief Executive, whichever is earlier.

- (2) The Regional Council shall also have a Vice Chairman who shall be elected by the members of the council from amongst themselves by a majority for votes.

The 27th December 1952

- (2) The Chairman and Chief Executive may, in consultation with the council appoint such other officers and staff as may be considered necessary to enable the Council to carry on its functions.

7. Conditions of service of Officers and Staff

Subject to the previous approval of Governor the Regional Council may make rules regulating the conditions of service of such Officers and staff appointed to the services and post in connection with the affairs of the Regional Council.

Provided that until rules are made by the Regional Council under this rule, the conditions of service of officers and staff of the Council shall be regulated by orders to be issued by the Governor and in the absence of such orders, by the relevant rules applicable to officers and staff under the rule making control of the Government of Assam, subject to such restrictions or modifications as the Governor may direct in the case of the particular appointment or class or classes of appointment.

CHAPTER III

CONDUCT AND PROCEDURE OF BUSINESS

8. **Oath or Affirmation by Members** – Every member of a Regional Council shall before taking his seat, make and subscribe before the Sub-Divisional Officer or some person appointed in this behalf by the Deputy Commissioner, an oath or affirmation according to the form set out below –

Form of oath or affirmation

“I.A.B. having been elected (or nominated) a member of the Pawi-Lakher Regional Council, do swear in the name of God/solemnly affirm that i will bear true faith and allegiance to the Constitution of India as by law established and that it will faithfully discharge the duty upon which it am about to enter”.

9. **Presiding over Meetings** – The Chairman and Chief Executive shall preside over the meetings of the Regional Council.

Provided that in his absence the Vice-Chairman shall preside, and in the absence of the Vice Chairman, one of the members elected by the majority of the other members present shall preside over that particular meeting in the absence of the Chairman and Chief Executive or the member doing so in the absence of both the Chairman and Chief Executive and the Vice Chairman shall have all the powers of the Chairman and Chief Executive for the particular meeting.

10. Meeting of the Regional Council

- (1) The Chairman and Chief Executive shall summon the Regional Council to meet once in two months.
- (2) The council shall ordinarily sit from 12 AM to 4 PM or for such hour as may be fixed by the Chairman and Chief Executive. The Chairman and Chief Executive may extend or curtail the hours of sitting as circumstances demand.
- (3) The date on which a session will commence shall be determined at the conclusion of the preceeding session and agenda to be discussed shall, if possible, be also determined then;

Provided that, in case the agenda could not be determined then, the member should submit in writing to the Chairman and Chief Executive and Chief Executive at least fifteen days before the next session and the Chairman and Chief Executive shall direct the Secretary to sent it together with any other agenda proposed by him to the members ten days before the next session commences.

- (4) The Chairman and Chief Executive shall determine the order of precedence of items on the agenda.

11. Emergency Meeting – The Chairman and Chief Executive may called an emergency meeting at any time :

Provided that the notice of the emergency meeting with its agenda shall reach the members within reasonable time to enable them to attend the meeting.

- 12. Voting in the Regional Council** - Save as otherwise provided in these rules, all questions at any meeting of the Regional Council shall be determined by a majority of votes of the members present and voting, other than the Chairman and Chief Executive or person acting as such.

The Chairman and the Executive or person acting as such shall not vote in the first instance, but shall have and may exercise a casting vote in the case of an equality of votes.

- 13. Power of Regional Council to act notwithstanding vacancies** - The Regional Council shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings in the council shall be valid notwithstanding that it is discovered subsequently that some persons who was not entitled so to do, sat or voted or otherwise took part in the proceedings.

14. Quorum

- (1) The quorum to constitute a meeting of the Regional Council shall be four.
- (2) If at any time during a meeting of the Regional Council there is no quorum, it shall be the duty of the Chairman (and Chief Executive) or person acting as such, either to adjourn or suspend the meeting until there is a quorum.

15. Conduct of Executive Functions

- (1) The Executive functions of the Regional Council shall be vested in the Chairman and Chief Executive of the Council, who shall be assisted in the discharge of his executive functions by the Vice Chairman. The

Chairman and Chief Executive may delegate and entrust such functions to the Vice Chairman as he may deem proper.

- (2) All orders or instruments made or executed by the Chairman and Chief Executive or by the Vice Chairman shall be expressed as having been made by order of the Religion Council. Every such order or instrument shall be signed by the Chairman and Chief Executive or the Vice Chairman and such signature shall be deemed to be the proper authentication of such orders or instruments.

16. Disposal of matters by the Chairman and Chief Executive and Vice Chairman

- (1) The Chairman and Chief Executive and Vice Chairman of the Regional Council shall dispose of all matters falling within its perview, except certain matters specified in sub rule (2), which shall be referred to the Regional Council for approval.
- (2) The matters excepted sub-rule (1) are
 - (a) Cases involving any important change in the administrative system of the Pawi-Lakher Autonomous Region or any important departure from the accepted policy or practice.
 - (b) Proposals for making regulations, rules or laws as authorised under the provisions of the Sixth Schedule to the Constitutions.
 - (c) Cases which seriously affect or are likely to affect seriously the peace or good Government of the Autonomous Region or affects or likely to affect relations therewith;

- (d) Cases affecting the relations of Government and/or the Lushai Hills District Council with the Regional Council.
- (e) all correspondences of importance with the Government and the Lushai Hills District Council.
- (f) all important appointments.

17. **Savings** - Notwithstanding anything contained in rule 16, if at any time, except when the Regional Council is not in session, an emergency arises which renders it necessary for the Chairman and Chief Executive to take immediate action in respect of any matter or matters specified in clause (a), (b), (c), (d), (e) and (f), of such rule (2) of that rule, the Chairman and Chief Executive may take such action thereon as the emergency appears to him to require, but every such case shall be laid before the Regional Council at its next session.
18. **Budget Estimates** - The Chairman and Chief Executive shall, in respect of every financial year, cause to be prepared and laid before the Regional Council statement of the estimated receipts and expenditures for that year which are not to be credited to, or is to be met from the Regional Fund of Pawi-Lakher Autonomous Region.
19. **Recording of decision** - A record of every decision reached at a meeting of the Regional Council shall be maintained by the Secretary. A copy of such decision shall be communicated to the Lushai Hills District Council and to the Governor by the Chairman and Chief Executive of the Council.
20. **Method of Voting** - In case of divided opinions amongst the members on any subject in regard to which a decision

is necessary, the Chairman and Chief Executive shall take the votes of the members present by requesting first those members for it to raised their hands and secondly those against it to do so. Each member can raise his hands only once and a member refusing to raise his hand on either occasion shall be deemed to be neutral. The decision of the majority shall be deemed to be the decision of the council. In case of the tie the Chairman and Chief Executive shall give a casting vote. The Secretary shall record the result of the voting.

21. **Relevancy of Speech** - The matter of every speech should be strictly relevant to the subject under constitution. The Chairman and Chief Executive may rule out any discussion which, in his opinion, is irrelevant.
22. **Veto power of Chairman and Chief Executive** - The Chairman and Chief Executive shall have the power to veto any proposal that, in his opinion, does not come within the purview of the Regional Council.
23. **Member to stand while speaking** – When addressing the Council each member shall do so standing,
24. **Order of speeches and discussion :-**
 - (1) The members who first rises to address the council shall beentitled to be heard first and should more than one member rises to address the Council at the same time, the order of precedence shall be determinated by the Chairman and Chief Executive.
 - (2) Any member shall be at liberty to call the attention of the Chairman and Chief Executive to a point of order even when a member is addressing the Council. On apoint of order being raised, the member

addressing the council shall resume his seat until the question has been decided by the Chairman and Chief Executive. There shall be no discussion on a point of order and the ruling of the Chairman and Chief Executive shall be final.

- (3) The Chairman and Chief Executive or, at his instance, the Secretary, shall reach out each item on the agenda for discussion in order of precedence and a member proposing the particular item of agenda shall have the right to open the discussion. Normally each member shall speak only once and that briefly and to the point. The proposal shall have the right of a reply. After a reasonable time allowed for discussion the Chairman and Chief Executive shall, in case of a division, put the question to the vote. The Chairman and Chief Executive shall exercise his own discretion as to the duration of “reasonable time” allowed for the discussion.

25. Restriction on speech and discussion

- (1) A member while speaking shall not -
 - (i) reflect upon the conduct of the Chairman and Chief Executive in regard to the exercise of his function.
 - (ii) utter reasonable or seditious words,
 - (iii) use offensive expression and
 - (iv) make personal charges against another member
- (2) Any member persisting in unparliamentary conduct may be requested by the Chairman and Chief Executive to upstain for further deliberations on that particular day of the meeting and should such con-

duct be repeated, the rest of the member of the Council may, in a meeting where he is not to be present, submit a report regarding any action to be taken concerning him.

- (3) Any matter pending in a Court of law or the conduct of a judge, Maistrate or any other person discharging Judicial functions shall not be discussed.

26. List of Normal Business -

- (1) a list of normal business for the day shall be prepared by the Secretary and shall be circulated to all members within the time specified in the proviso to sub-rule (3) of rule 10.
- (2) No business not included in the list of business for the day shall be transacted at any meeting without leave of the Chairman and Chief Executive.

27. Power for Legislation

- (1) All proposals to make or amend laws and regulations in respect of matters falling within the purview of the Regional Council as specified in the Sixth Schedule to the Constitution shall be introduced in the Council in the forms of bills, and no bill shall be introduced in the Council without the prior approval of the Governor.
- (2) When a bill has been passed by the Council, a copy thereof shall be signed by the Chairman and Chief Executive who shall send an authenticated copy of such bill to the Deputy Commissioner for submission to the Governor for his assent, where necessary.
- (3) Copies of all rules to be made by the Regional Council shall also be submitted by the Chairman and Chief

Executive to the Deputy Commissioner for submission to the Governor for his approval as required under the provisions of the Sixth Schedule to the Constitutions.

28. **Publication and Effect of Laws** - All laws, regulations and rules made by the Regional Council, after being assented to or approved, where necessary, by the Governor, shall be published in the Official Gazette, and on such publication shall have the force of law as provided for in paragraph 11 of the Sixth Schedule to the Constitution.
29. **Select Committee** - A select Committee may be appointed for any important matter. The select Committee shall submit its report to the Chairman and Chief Executive for placing it before the council for discussion at the next meeting. The consideration of the report may be adjourned to another meeting if the time between the submission of the report and the date of the next meeting is too short to enable the Secretary to send a copy of it to every member within reasonable time. The Chairman and Chief Executive of the Council shall preside over the select Committee.
30. **Proceedings of the council** -
 - (1) The Chairman and Chief Executive shall cause a report of the proceedings of the Council at each of its meetings to be prepared as soon as possible after such meetings. A copy of such report shall be sent to every member and to the Governor through the Deputy Commissioner of the Luhai Hills District.
 - (2) A copy of such report, when confirmed and signed by the Chairman and Chief Executive shall be the record of the proceedings of the Regional Council.

- 31. Maintenance of certain Registers** – The Secretary of the Regional Council or such other officers as may be authorised by the Chairman and Chief Executive in this behalf, shall maintain the following registers.
- (a) A register to record the names of members and their attendance at each meeting;
 - (b) A register to record the proceedings of each meeting.

R.V. SUBRAHMANIAN
Secretary to the Government of Assam
Tribal Areas and Development Department

The 31st March 1957

In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi - Lakher Regional Council, is hereby published for general information :-

PAWI - LAKHER REGIONAL COUNCIL ACT NO. 1 OF 1954

The Pawi - Lakher Autonomous Region (Procedure and Conduct of Business) (Amendment) Act, 1954.

(Published in the Assam Gazette, dated the 7th April, 1954)

An
Act

to amend the Rules for the procedure and conduct of business of the Pawi - Lakher Regional Council.

Whereas it is expedient to amend the Pawi - Lakher Regional Council (Procedure and Conduct of Business) Rules, 1952, as made by the Governor of Assam under sub-paragraph

(6) of paragraph 2 of the Sixth Schedule to the Constitution of India and published with the Government of Assam, Tribal Areas and Development Department Notification No: TAD-R/3/52, dated the 27th December, 1952, hereinafter referred to as the "Principal Rules."

It is hereby enacted as follows :—

1. (1) This Act may be called the Pawi – Lakher Autonomous Region (Procedure and Conduct of Business) Act, 1954.
- (2) It shall come into force at once.
2. For rule 5 of the principal Rules the following shall be substituted :—

5. Chairman : There shall be a Chairman of the Regional Council, who shall be elected by the Council from amongst its members by a majority of votes :

Provided that the Subdivisional Officer or any other authorised by him shall be the Chairman of the Council for a period of one year with effect from the date of its being summoned for the first time under the principal Rules or till such time as a Chairman is elected and takes over office.

6. Executive Committee :

- (1) The Regional Council shall have an Executive Committee with the Chief Executive Member at the head and one other member to exercise the functions hereinafter specified in rules 15, 16 and 17.
- (2) The Chief Executive Member shall be elected by the members of the Regional Council from amongst them-

selves by a majority of votes and the other member shall be appointed by the Governor on the advise of the Chief Executive Member from amongst the members of the Regional Council.

- (3) The Regional Council shall have a Secretary who shall be appointed by the Chief Executive Member in consultation with the Council. The Secretary shall not be a member of the Regional Council.
 - (4) The Chief Executive Member may, in consultation with the Council, appoint such other officers and staff as may be considered necessary to enable the Council to carry on its functions.
3. For rule 9 of the Principal rules, the following shall be substituted :-
- “9. Presiding over meeting :** The Chairman shall preside over the meetings of the Regional Council :
- Provided that in his absence one of the members other than the Executive Committee Members, elected by the majority of the other members present, shall preside over that particular meeting, and the member doing so shall have all the powers of the Chairman for the particular meeting.”
4. For rule 10 of the Principal Rules the following shall be substituted :-
- “10. Meetings of the Regional Council :**
- (1) The Chairman shall summon the Regional Council to meet once in three months.
 - (2) The Council shall ordinarily sit from 10 A.M to 4 P.M. or for such hours as may be fixed by the

Chairman. The Chairman may extend or curtail the hours of sitting as circumstances demand.

- (3) The date on which a session will commence will be ordinarily determined at the conclusion of the preceding session :

Provided that if, for any unavoidable reasons, a session of the Council can not be held on the date so fixed, the Chairman shall refix a date and inform the members of the changed date at least thirty days before the date fixed for the meeting.

- (4) The members of the Council shall submit in writing to the Chairman at least twenty days before the next session, a list of business they propose to bring in that session and the Chairman shall direct the Secretary to send it together with any other agenda proposed by him and the members of the Executive Committee to the members twelve days before the next session commences.

- (5) The Chairman shall determine the order of procedure of items on the agenda.”

5. In the principal Rules the following shall be substituted for rule 15 :-

“15. Conduct of Executive Functions :

- (1) The Executive functions of the Regional Council shall be vested in the Executive Committee.
- (2) All orders or instruments made or executed by the Executive Committee shall be expressed as having been made by the order of the Regional Council. Every such order or instrument shall be signed by the

Chief Executive Member or the other member of the Executive Committee, and such signature shall be deemed to be the proper authentication of such order or instrument.”

6. In Rule 16 of the Principal Rules, the words “Chairman and Chief Executive and Vice-Chairman” wherever they occur, shall be substituted by the words “Executive Committee.”
7. In sub-Rule (I) of Rules 16 of the Principal Rules, the following provisos shall be inserted :-

“Provided every decision taken by the Executive Committee or the Regional Council and every resolution adopted by the Regional Council, as the case may be, in respect of any matter which may effect the finances of the Council shall forth with be submitted to the Subdivisional Officer, and untill such decision or resolution is approved by him, it shall not be given effect to :

Provided further that if the Executive Committee or the Regional Council disagrees with the decision of the Subdivisional Officer in any case, the Executive Committee may refer such a case to the Governor for decision and the decision of the Governor thereon shall be final.”

8. In rule 17 or the Principal Rules :
 - (a) the words “Chairman and Chief Executive wherever these” occur, shall be substituted by the words “Executive Committee” and the word “him” shall be substituted by “it”
 - (b) the following shall be inserted at the end :-

“for confirmation of the action taken by the Execu-

tive Committee or for such action as may be decided by the Council.”

9. In rule 18 of the Principal Rules the words “Chairman and Chief Executive” shall be substituted by the words “Chief Executive Member or the other Member of the Executive Committee in charge of financial matters.”
10. In rules 11, 12, 14, 19, 20, 21, 22, 24, 25, 26, 27, 29, 30 and 31 of the Principal Rules the words “Chairman and Chief Executive” wherever these occur, shall be substituted by the word “Chairman.”

In authentication whereof I give my signature this 15th day of February 1954.

K.L. Ray
Chairman and Chief Executive
Pawi Lakher Regional Council, Lungleh

The 14th March, 1961

No. RCL 1/61/21 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi - Lakher Regional Council is hereby published for general information :-

ACT NO, VII OF 1961

An

Act

to amend the Pawi - Lakher Autonomous Region (Procedure and Conduct of Business) Rules, 1952.

Preamble : Where as it is expedient to amend the Pawi - Lakher Autonomous Region (Procedure and Conduct of Business) Rules, 1952 hereinafter referred to as the Principal Rules;

It is enacted in the eleventh year of the Republic of India as follows :-

1. Short title and commencement :

(1) This Act may be called the Pawi-Lakher Autonomous Region (Procedure and conduct of Business) (Second Amendment) Act, 1961.

(2) It shall come into force at once.

2. Amendment to Rule 10 : In sub-rule (1) of Rule 10 of the Principal Rules, substitute the word “four” for the word “three.”

Sd/-

F. Sangluaia

Chairman

Pawi-Lakher Regional Council

Saiha

The 5th December, 1953

No. TAD/R/67/53 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council which received the assent of the Governor of Assam, is hereby published for general information –

PAWI-LAKHER REGIONAL COUNCIL ACT,
NO. I OF 1953

**The Pawi-Lakher Autonomous Region
(Reduction of Fathang)
Act, 1953**

(Passed by the Pawi-Lakher Regional Council)

(Received the assent of the Governor of Assam on the 2nd
December, 1953)

An

Act

to provide for the reduction of Fathang payable to Chiefs in the
Pawi-Lakher Autonomous Region.

Preamble : Whereas it is expedient to provide for the
reduction of Fathang payable to Chief in the Pawi-Lakher Au-
tonomous Region;

It is hereby enacted as follows –

1. Short title, extent and commencement :

- (1) This Act may be called the Pawi-Lakher Autonomous
Region (Reduction of Fathang Act, 1953)
- (2) It extends to the whole of the Pawi-Lakher Autono-
mous Region;
- (3) It shall come into force at once.

2. Definition : In this Act, except where it is otherwise
expressly provided or the context otherwise requires –

- (1) “Chief” means a Chief of the Pawi-Lakher Region,
recognised as such by the State Government before
the commencement of this Act;
- (2) “Fathang” means a due payable to a chief by a cul-
tinator in kind or in cash;
- (3) “Law” includes a tribal custom or usage having the
force of law in the Pawi-Lakher Region;
- (4) “Ram” means a tract or tracts of land held by a chief
under a Ramrilekha or boundary paper issued is by
the competent authority;

(5) “tin” means one four gallon kerosene oil tin.

- 3. Reduction of Fathang :** Notwithstanding any provision in any law for the time being in force, the Fathang which is payable to a chief by a household in respect of any land used for jhuming within the Chief’s Ram and which is liable to be so paid on and from the date of the commencement of this Act, shall be reduced from a maximum of six tins to a maximum of three tins of paddy per annum, if paid in kind, and from rupees two to rupee one per annum, if paid in cash.

RTR:RYMBAI,
for Secretay to the Govt. of Assam,
Tribal Areas Department.

The 5th December 1953

No. TAD/R/67/53 (a) : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India the following Act of the Pawi-Lakher Regional Council which received the assent of the Governor of Assam, is hereby published for general information –

PAWI-LAKHER REGIONAL COUNCIL ACT,
NO. 11 OF 1953

**The Pawi-Lakher Autonomous Region
(Social Customs and Practices) Act, 1953)**

(Passed by the Pawi-Lakher Regional Council)

Received the assent of the Governor of Assam on the
2nd December 1953)

(Published in the Assam Gazette, dated the
9th December, 1954)

An
Act

to provide for the abolition of certain Social Customs

Preamble : Where as it is expedient to provide for the abolition of certain social practices;

It is hereby enacted as follows –

1. Short title, extent and commencement :

- (1) This Act may be called the Pawi-Lakher Autonomous Region [Social Customs and Practices] Act, 1953.
- (2) It extends to the whole of the Pawi-Lakher Autonomous Region.
- (3) It shall come into force at once.

2. Definition : In this Act, except where it is otherwise expressly provided or the context otherwise requires –

- (1) “Sachhiah” means hunting dues of a Chief consisting of the left foreleg of a wild animal shot or trapped by any body payable to him according to the prevailing customs;
- (2) “Thirdeng” means a village blacksmith;
- (3) “Thirdengsa” means the hunting dues of a Thirdeng consisting of the spine and there ribs of any wild animals shot or trapped by any body payable to him according to the prevailing customs;
- (4) “Khamkhua” means bees found in precipices and claimed by certain persons, particularly Chiefs, as their own at the expense of all other persons in the village according to existing custom.

3. **Abolition of Sachhiah, Thirdengsa and Khamkhuai :**
The customs of payment of Sachhiah and Thirdengsa and the custom of Khamkhuai shall be abolished with effects from such date as the Regional Council may, by notification in the Assam Gazette, appoint in this behalf.

R.T.R. RYMBAI,
for Secy. to the Govt. of Assam
Tribal Areas Department.

The 16th July, 1954

No. TAD/R/124/53 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council, which received the assent of the Governor of Assam is hereby published for general information :-

PAWI-LAKHER REGIONAL COUNCIL
ACT NO. II CF 1954

The Pawi-Lakher Autonomous Region (Social Customs and Practices) Act. 1954.

(Passed by the Pawi - Lakher Regional Council) (Received the assent of the Governor of Assam on the 17th July 1954)
(Published in the Assam Gazette, dated 21st July, 1954)

An
Act

to provide for the abolition of certain social customs and practices;

Preamble :- Where it is expedient to provide for the abolition of certain social customs and practices;

It is hereby enacted as follows :—

1. Short titles, extent and Commencement :

- (1) This Act may be called the Pawi-Lakher Autonomous Region (Social Customs and Practices) Act, 1954.
- (2) It shall extend to the whole of the Pawi-Lakher Autonomous Region.
- (3) It shall come into force at once.

2. Definition : In this Act, except where it is expressly or provided or the content otherwise requires.

- (1) “Lukhawng” means customary dues payable on the death of a person;
- (2) “Hlawn” means the dories paid by the parents to a girl at the time of her marriage;
- (3) “Hmaitlam” means a customary payment by the husband of a woman as demanded by the parents of the woman who has left her husband on account of his ill - treatment, for her restoration to the husband.

3. Abolition of Lukhawng, Hmaitlam, Marriage Price and Hlawn : –

- (1) The custom of payment of [1] Lukhawng [ii] Hmaitlam of any sort and [iii] Marriage Price payable on the death of either the husband or the wife, shall be abolished with effect from the date of commencement of this Act.
- (2) The practice of taking back of Hlawn payable on the death of a woman by her parent or his legal descendants shall also be abolished with effect from the same date :

D.DAS
Secretary to the Govt. of Assam,
Tribal Areas Department

The 28th April, 1961

No. TAD/R/49/57 (a) : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council, which received the assent of the Governor of Assam, is hereby published for general information :-

ACT NO III OF 1961

**THE PAWI-LAKHER AUTONOMOUS REGION
(SOCIAL CUSTOMS AND PRACTICES
REPEALING) ACT 1960**

(Passed by the Pawi-Lakher Regional Council)
(Received the assent of the Governor of Assam on the 27th
April, 1961)
(Published in the Assam Gazette 9th April, 1961)

An
Act

to repeal the Pawi-Lakher Autonomous Region (Social Customs and Practices) Act, 1959 and the Pawi-Lakher Autonomous Region (Social Customs and Practices) Act, 1954.

1. Preamble : Whereas it is expedient to repeal the provisions of the Pawi-Lakher Autonomous Region (Social Customs and Practices) Act, 1953 and the Pawi-Lakher Autonomous Region (Social Customs and Practices) Act, 1954;

It is hereby enacted in the Tenth Year of the Republic of India as follows :—

1. Short title, extent and commencement : [1] The Act may be called the Pawi-Lakher Autonomous Region (Social Customs and Practices) (Repealing) Act, 1959.

[2] It shall come into force at once.

2. The Pawi-Lakher Autonomous Region [Social Customs and Practices] Act, 1953 and Pawi-Lakher Autonomous Region (Social Customs and Practices) Act, 1954 are hereby repealed.

B.W. Roy
Joint Secy. to the Govt. of Assam,
Tribal Areas and Welfare of Backward Classes
Department, Shillong.

No. TAD/R/49/57 [b] : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council which received the assent of the Governor of Assam, is hereby published for general information :—

ACT No. IV of 1961

THE PAWI-LAKHER AUTONOMOUS REGION
[SOCIAL CUSTOMS AND PRACTICES] ACT, 1960

[Passed by the Pawi-Lakher Regional Council]
[Received the assent of the Governor of Assam
on the 27th April, 1961]

An

Act

to provide for the modification of social customs and practices.

Preamble : Whereas it is expedient to provide for the modification of social customs and practices;

It is enacted, in the Eleventh Year of the Republic of India, as follows :—

1. Short title extent and commencement :-

- (1) This Act may be called the Pawi–Lakher Autonomous Region (Social Customs and Practices) Act. 1960;
- (2) It shall extent to the entire area of Pawi–Lakher Autonomous Region;
- (3) It shall come into force at once.

2. Definition : In this Act, except where it is expressedly profided for or the contact otherwise requires :—

- (1) “Village Court” means a Village Court of the Village Council constituted in accordance with the provisions of the Pawi–Lakher Autonomous Region (Administration of Justice) Rules, 1954.
- (2) “Executive Committee” means the Executive Committee of the Pawi–Lakher Regional Council.
- (3) “Salam” means a fine inposed by the Village Court on a person or persons for disobeying order. Generally of pig which however, may be paid in kind or in cash.
- (4) “Sum” is used for measuring the size of animal. One ‘sum’ is equal to about inches in length.

3. Fixation of Salam : Salam may be paid in kind or in cash. When payment is made in kind it should be a pig not smaller than three “Sum” but when payment is made in cash Rs. 10 may be accepted in lieu of it.

4. If a person or persons refuse to pay the “Salam” mentioned in section 3 above he or they shall be subjected to the provisions of Rule 13 of the Pawi-Lakher Autonomous Region (Administration of Justice) Rules 1954.
5. The “Salam” shall be the discretionary fund of the Village Council, which however, shall be subject to audit by competent authority appointed on this behalf, by the Executive Committee.

B.W. Roy
Joint Secretary to the Govt. of Assam,
Tribal Areas and Welfare of Backward Classes
Department, Shillong.

The 22nd November, 1954

No. TAD/R/100/53 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi – Lakher Regional Council, which received the assent of the Governor of Assam, is hereby published for general information :-

PAWI LAKHER ACT NO 4 OF 1954.

THE PAWI – LAKHER AUTONOMOUS REGION
(FOREST) ACT, 1954

(Passed by the Pawi – Lakher, Regional Council)
(Received the assent of the Governor of Assam, on the 22nd
November, 1954)

Published in the Assam Gazette, dated 1st December, 1954)

An
Act

to provide for the management, occupation or use of any forest not being a reserved forest.

Preamble : Whereas it is expedient to provide for the management of forest within the Pawi – Lakher, Autonomous Region of the Lushai Hills District, which are not reserved forest.

It is hereby enacted as follows :-

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

- (1) This Act may be called the Pawi-Lakher Autonomous Region [Forest] Act, 1954;
- (2) It extends to the Pawi–Lakher Autonomous Region.
- (3) It shall come into force at once.

2. **Definition :** In this Act except where it is otherwise expressly provided or the context otherwise requires :-

- (1) “Region” means the Pawi–Lakher Autonomous Region;
- (2) “Village Council” means the Village Council constituted under the provisions of the Pawi–Lakher Autonomous Region (Administration of Justice) Rules, 1954;
- (3) “Reserved Forest” has the same meaning as assigned to it by subparagraph [2] of paragraph [3] of the Sixth Schedule to the Constitution of India.
- (4) “Regional Council” means the Regional Council of the Pawi–Lakher Autonomous Region;
- (5) “Subdivisional Officer” means the Subdivisional Officer of Lungleh;
- (6) “Executive Committee” means the Executive Committee of the Pawi–Lakher Regional Council and the

term “Chief Executive Member” be construed accordingly.

3. The Regional Council may constitute any forest land at the disposal of the Regional Council into a Regional Council Forest Reserve in the manner hereinafter prescribed.
4. Whenever it is proposed to constitute any Regional Council Forest Reserve, the area shall be first inspected by the Chief Executive Member or any other authorised by him and if he is satisfied that the constitution of such forest reserve is justified he shall cause a notice to be published and circulated in the Region in such manner as he may deem it appropriate –
 - (a) Specifying as nearly as possible, the situation and limits of such land;
 - (b) declaring that it is proposed to constitute such land a forest reserve;
 - (c) inviting objection, if any.
5. The Chief Executive member shall receive and receive into any objection which may be presented to him against the constitution of such forest reserve within one month of the date of publication of the notice referred to in section 4 and on such enquiry may exclude any land from it.
6. When all objections presented within one month of the publication of notice under section 4 have been disposed of, the Chief Executive member shall cause to be published a final notice specifying the final boundaries of the areas to be constituted into a forest reserve, and on such publication the said area shall become a Regional Council Forest Reserve.

7. (1) The Regional Council may, at any time, established new village or sub-village within a Regional Council Forest Reserve or Reserves.
(2) No person shall be allowed to settle, jhum or make wet cultivation, cut trees or set fire in any forest reserves constituted under this act without first obtaining the written permission of the Executive Committee and on such conditions as may be prescribed by it.
8. The Regional Council, may at any time, appoint Officers and staff for the management of forest reserved constituted under 6 of this Act.
9. (1) The Regional Council may, by Notification in the Assam Gazette, and also in the Region in such manner as it may deem appropriate, constitute any land at the disposal of the Regional Council into a Village Forest Reserve for the collective benefit of any village community or group of village communities, and may in like manner vary or cancel any such notification.
(2) Every such Notification shall specify the limits of such Village Forest Reserve.
10. The Village Forest Reserves constituted under Section 9 may be of two classes, namely -
 - (a) A Village Safety Reserve, that is a reserve for the protection against fire from without, or reserve constituted in the interest of health and water supply. No one shall utilise for any purpose, any portion of land inside this reserve and no trees shall be cut in this reserve except with the permission of Executive Committee. The Village Council may dispose of any

dead trees in the manner it considers most beneficial for the village.

- (b) A Village supply Reserve, that is a reserve for the supply of the needs of any village or villages. Any person belonging to any village community or group of village communities for whose benefit such reserve is constituted may cut trees and bamboos from this reserve for his household needs. The Village Council shall have the power to distribute land within this reserve for jhum or gardens. No one shall be allowed to cut any green tree for firewood from this reserve without first obtaining the written permission of the Village Council.
11. (a) Any person doing anything in contravention of the provisions of section 10 shall be punishable with a fine not exceeding Rs. 50/-
- (b) Subject to clause (2) above, any person doing anything in contravention of any provisions of this Act shall be punishable with a fine according to the amount of damaged caused.

JHUMS AND WET CULTIVATIONS

12. (a) The extent of areas to be allocated for distribution of Jhums under section 10 (b) shall be notified by the Village Council in the manner it deems fit and submitted to the Regional Council.
- (b) Subject to the provisions of this Act, distributions of Jhums to the village shall rest with the village council.
- (c) No jhuming shall be permitted within one hundred feet on either side or of all Government roads except with the written permission of the Sub-divisional Officer

who shall consult the Chief Executive member or the Executive Committee.

13. No new wet cultivation shall be opened in forest reserves constituted under this Act except under a passed granted by the Executive Committee on such conditions as it may deem fit to impose. In granting such pass, the Executive Committee shall take into consideration the recommendation of the Village Council.
14. Subject to the approval of Governor, the Executive Committee may frame rules for carrying out the provisions of this Act.

D. DAS

Secretary to the Govt. of Assam, Tribal Area Deptt.

The 3rd July 1958

No : TAD/R/100/53 - In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India the following Act of Pawi-Lakher Regional Council, which receive the assent of the Governor of Assam, is hereby published for general informations –

ACT NO II OF 1958

THE PAWI-LAKHER AUTONOMOUS REGION (FOREST) (AMENDMENT) ACT, 1957

Passed by the Pawi-Lakher Regional Council
Received the assent of the Governor of Assam

Preamble - Whereas it is expedient to amend the Pawi-Lakher Autonomous Region (Forest) Act, 1954, { Act No. 4 of 1954 } hereinafer called the Principal Act.

It is hereby enacted in the eight year of the Republic of India as follows -

1. **Short title, extent and commencement**
 - (1) This Act may be called the Pawi-Lakher Autonomous Region (Forest) (Amendment) Act, 1957
 - (2) It shall have the like extent as the Principal Act.
 - (3) It shall come into force at once.
2. **Amendment to Section 10** - In the sixth line of Section 10 (a) and in the fifth and ninth lines of section 10 (b) of the Principal Act, the words "Village Councils" should be substituted by "Regional Council".

R.T.R. RYMBAI

Under Secy. to the Government of Assam
Tribal Areas Deptt.

The 6th July 1961

No. TAD/R/57/60 - In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of Pawi-Lakher Regional Council, which received the assent of the Governor of Assam, is hereby published for general information.

ACT NO VI OF 1961.

**THE PAWI-LAKHER AUTONOMOUS REGION
(FOREST) AMENDMENT) ACT, 1961**

Passed by the Pawi - Lakher Regional Council
Received the assent of the Governor of Assam
on the 5th July, 1961.

Published in the Assam Gazette, dated the 12th July, 1961

**An
Act**

Preamble - Whereas it is expedient to amend the Pawi-Lakher Autonomous Region (Forest) Act, 1954, hereinafter referred to as the Principal Act.

It is hereby enacted in the twelfth year of the Republic of India, as follows -

1. Short title, extent and commencement

- (1) This Act may be called the Pawi-Lakher Autonomous Region (Forest) (Amendment) Act, 1960.
- (2) It shall have the like extent as the Principal Act.
- (3) It shall come into force at once.

2. The words “may, by notification in the Assam Gazette, and also” occurring in the first and second line of rule 9 (1) shall be deleted :

3. In the Principal Act, substitute the following for section 9 –

“The Regional Council may by notification in such manner as it may deem appropriate constitute any land at the disposal of the Regional Council into a Village Forest Reserve for the collective benefit of any Village community or group of village communities, and may in like manner vary or cancel any such notifications.

“Provided every such notification shall specify the limits of such Village Forest Reserve and it shall be widely circulated in the Region.”

B.W. Roy
Joint Secy. to the Government of Assam
Tribal Areas and Welfare of Backward Classes
Department, Shillong

The 20th March, 1954

In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Regulation made by the Pawi-Lakher Regional Council is published for general information :-

THE PAWI-LAKHER AUTONOMOUS REGION REGULATION NO I OF 1954

**The Pawi-Lakher Autonomous Region
{Revenue Assessment}
Regulation, 1954**

Preamble – Whereas it is expedient to provide for the levy and collection of certain taxes and tolls ;

It is hereby enacted as follows :

1. **Short title, extent and commencement -**
 - (1) This regulation may be called the Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1954
 - (2) It extends to the whole of Pawi-Lakher Autonomous Region;
 - (3) It shall come into force at once.
2. **Definition -** In this Regulation, “Law” means any Act, Ordinance, Regulation, Rule or Order relating to any matters specified in sub-paragraph (2) of paragraph 8 of the Sixth Schedule to the Constitution, passed or made before the commencement of this Regulation by any Legislature, authority of person having power to make such a Law, Regulation, Rule or Order.
3. Levy and collection of taxes and tolls - All the text and tolls which the Regional Council is competent to levy under

sub-paragraph (2) of paragraph 8 of the Sixth Schedule to the Constitution and which have hitherto been levied by the Government of Assam by or under the provisions of any law or laws for the time being in force shall be levied in accordance with the same rates for the time being followed by the Government Assam and shall be collected by the Deputy Commissioner and other agencies of the Government of Assam. The taxes and tolls so collected shall be credited to the Regional Fund of the Pawi-Lakher Autonomous Region constituted under sub-paragraph [1] of paragraph 7 of the said Sixth Schedule.

Provided that the proportionate expenditure incurred by Government of Assam on such levy and collection shall be borne by the Regional Council, the basis for calculating the proportionate expenditure being laid down by the Government of Assam in consultation with the Regional Council. In the event of any dispute arising as to be said basis for calculating the proportionate expenditure the decision of the Governor of Assam shall be final.

In authentication whereof I give my signature this 15th day of February, 1954.

Chairman and Chief Executive
Pawi-Lakher Regional Council, Lungleh.

The 11th September 1956

No. RCE 11/56/Bill - In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following regulation of the Pawi-Lakher Regional Councils hereby published for general information –

REGULATION NO I OF 1956
THE PAWI-LAKHER REGIONAL COUNCIL
(REVENUE ASSESSMENT)
REGULATION, 1956

Passed by the Pawi-Lakher Regional Council
Published in the Assam Gazette, dated 19th September, 1956

A
Regulation

Preamble – Whereas it is expedient to provide for the levy and collection of certain taxes and tolls;

It is hereby enacted as follows –

1. Short title, extent and commencement

- (1) This regulation may be called the Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1956
- (2) It extends to the whole of Pawi-Lakher Autonomous Region;
- (3) It shall come into force at once.

2. Definition - In this Regulation, except where it is otherwise expressly provided for, or the context otherwise requires –

- (a) “Executive Committee” means the Executive Committee of the Pawi-Lakher Regional Council;
- (b) “Huan” means a defined plot of land demarcated for fruits, vegetables or plantation or the like crops;
- (c) “Leipui” means a subsidiary shifting jhum cultivation where no paddy is cultivated;

- (d) “Ramhual” means a cultivator having the privillage for choosing of jhum sites as approved by the Village Council;
- (e) “Regions” means the Pawi-Lakher Autonomous Region;
- (f) “Regional Council” means the Regional Council of the Pawi-Lakher Autonomous Region constituted under the provisions of the Sixth Schedule to the Constitution and in accordance with the Pawi-Lakher Autonomous Region (Constitution of Regional Council) Rules, 1952;
- (g) “Region Buhchhun” means a surtax imposed by the Regional Council under this Regulations;
- (h) “Stall” means a booth or covered stand for sale or wares at market, fair or in the open street.
- (i) “Tin” means a tin which can contain four gallons of kerosene oil;
- (j) “Tribal” means any person who is a member of a Schedule Tribe specified as such by order made by the President of India under Article 324 (1) of the Constitution of India, as modified by law made by Parliament from time to time in so far as the specification pertains to the Autonomous Districts of Assam;
- (k) “Village Council” means a Village Council constituted under the provisions of the Pawi-Lakher Autonomous Region [Administration of justice] Rules, 1954;

3. **Taxes on land and building**

- (i) All lands under wet Cultivation shall be assessed to a Tax of as -/8/- per bigha per year.
- (ii) Every permanent ‘Huan’ which is or which may be

required to be registered under any law the time being in force shall be assessed to a tax of as -/8/- per bigha per year.

Provided that the Executive Committee may vary the above rate of taxation in such towns or such other areas as may be notified from time to time by its order.

- (iii) All other permanent 'huan' shall be assessed at the rate to be fixed by the Regional Council.
- (iv) Buildings in every house other than those belonging to the State Government and the Regional Council and such other buildings which the Executive Committee may, by order, exempt shall be assessed to annual tax at the rate varying from Rs. 2/- to Rs.. 10/- for each building.
- (v) Every stall of shop building shall be assessed to a tax of Rs. 5/- per year.

4. **Tolls on persions**

1. A toll on every person residing in the region shall be levied as follows –

- (a) From persons having wet cultivation producing paddy or having shifting jhum cultivation, four tins of paddy per year.
- (b) From every house holder who does not produce paddy or does not resort to jhuming Rs. 2/- per year.

Provided that if a person having paddy cultivation produces less quantity of paddy than is sufficient to feed his family for half a year, Rs. 2/- only shall be levied on him in lieu of four tins of paddy if he so desires.

2. Notwithstanding anything in clause (1) above, no Government servant, who is not a tribal and has been living in the Government quarter shall be liable to pay toll levied under Section 4.
5. (i) Maximum number of 'ram hual' permissible in a village where desired is specified below, according to the number of houses it contains
- | | |
|---------------------------------------|----------------|
| For a village below 30 houses | ... 2 ramhuals |
| For a village between 31-50 houses | ... 3 ramhuals |
| For a village between 51-70 houses | ... 4 ramhuals |
| For a village between 71-90 houses | ... 5 ramhuals |
| For a village between 91 above houses | ... 6 ramhuals |
- (ii) The maximum and minimum Regional Buhchhun payable by a ramhual shall be 16 (sixteen) and 4 (four) tins of paddy respectively per year, over and above the toll on persons levied under section 4.
- (iii) The selection of the jhums for Ramhual shall be in the order of the amount of bids offered by then and accepted by the Village Councilor or the Executive Committee as the case may be.
6. Any person who plants the undermentioned crops for sale along the rivers within the areas of Regional Council Forest Reserve shall be assessed to a tax as note below against each:

Name of Crops	Area	Amount of Taxation		
		Rs.	A	P
1. Tobacco	10 fathoms square each	1	0	0
2. Mustard	10 fathoms square each	0	8	0
3. Cotton	10 fathoms square each	0	8	0
4. Sesamum	10 fathoms square each	0	4	0
5. Chilli	10 fathoms square each	0	4	0

7. **Penalty :** In default of payment of any tax levied by this Regulation or under this Regulation within the period prescribed by the Executive Committee, the Executive Committee shall have powers to attach, for the realisation of such dues, sufficient properties of the defaulters and sell such attached properties or any portion of it by public auction after serving a notice for such sale on the defaulter and in the locality, in the period of such notice being not less than 15 days.

HENGMANGA

Chairman

Pawi-Lakher Regional Council, Saiha

The 30th March, 1959

No. RCG. 6/59/280 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Regulation of the Pawi-Lakher Regional Council is hereby published of general information :-

REGULATION NO. I OF 1959
**THE PAWI-LAKHER REGIONAL COUNCIL
(REVENUE ASSESSMENT) (AMENDMENT)
REGULATION, 1959**

Passed by the Pawi-Lakher Regional Council
Published in the Assam Gazette, dated the 10th July 1959

A

Regulation

to amend the Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1956.

Preamble – Whereas it is expedient to amend the Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1956, hereinafter referred to as “The Principal Regulation”

It is hereby enacted in the tenth year of the Republic of India, as follows –

1. **Short title extent and commencement**
 - (1) This Regulation may be called the Pawi-Lakher Autonomous Region (Revenue Assessment) (Amendment) Regulation, 1958
 - (2) It shall have the like extent as the Principal Regulation;
 - (3) It shall come into force at once.
2. **In the Principal Regulation**
 - (i) Substitute the following for section 5

5 Marketing Fee – Every person who comes to any market in the Region for sale of commodities shall be required to pay a marketing fee of 13 Naya Paise per day.
 - (ii) After section 6, the following section shall be inserted, namely – 6A. Collection and levy of taxes and tolls by Village Councils.
 - (a) Every Village Council shall levy and collect all the taxes and tolls leviable under this Regulation within its jurisdiction.
 - (b) All the taxes and tolls thus collected shall be entered in a register to be maintain chronologically. Each entry shall be duly attested by the President of the Village Council concerned by affixing his signature and date.
 - (c) All the taxes and tolls thus collected shall be handed

over to the Circle Assistant in charge of the circle, or direct to the Member of the Executive Committee in charge, Financial Affairs, positively before the end of the month of December each year for which regular receipts and account shall be maintained”

H. KIAUTUMA
Chief Executive Member
Pawi-Lakher Regional Council
Saiha

The 4th June 1958

No. RCG. 6/58/27-28 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Regulation of the Pawi-Lakher Regional Council, is hereby published for general information –

REGULATION NO. I OF 1958

**THE PAWI-LAKHER AUTONOMOUS REGION
(REVENUE ASSESSMENT)
(AMENDMENT) REGULATION, 1958**

(Passed by the Pawi-Lakher Regional Council)
(Published in the Assam Gazette, date 18th June, 1958)

**A
Regulation**

to amend the Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1954.

Preamble – Whereas it is expedient to amend the Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1954, which is hereinafter referred to as “Principal Regulation.”

It is hereby enacted in the ninth year of the Republic of India, as follows –

1. **Short title extent and commencement**
 - (1) This Regulation may be called the Pawi-Lakher Autonomous Region (Revenue Assessment) (Amendment) Regulation, 1958.
 - (2) It shall have the like extent as the Principal Regulation.
 - (3) It shall come into force on such date as the Pawi-Lakher Regional Council may, by notification, appoint in this behalf.
2. **Amendment to Clause 3 of the Principal Regulation :**
For clause 3 substitute the following –
3. Levy and collection of taxes and tolls - All taxes and tolls which the Regional Council is competent to levy under sub-paragraph (2) of paragraph 8 of the Sixth Schedule to the Constitution of India and which have hitherto been collected by the Government of Assam by or under the provisions of any law or laws for the time being in force, shall be collected by the Regional Council in accordance with the provisions of the Pawi-Lakher Regional Council [Revenue Assesment] Regulation, 1956. The taxes and tolls so collected shall be credited to the Regional Fund of the Pawi-Lakher Autonomous Region constituted under sub-paragraph (1) of paragraph 7 of the said Sixth Schedule.

H. KIAUTUMA
Chief Executive Member
Pawi-Lakher Regional Council, Saiha

The 17th July 1959

No. RCG 6/59-II/97 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Regulation of the Pawi–Lakher Regional Council is hereby published for general information –

Regulation No. III of 1959

**THE PAWI–LAKHER AUTONOMOUS REGION
(REVENUE ASSESSMENT) (SECOND AMEND-
MENT) REGULATION, 1959**

(Passed by the Pawi-Lakher Regional Council)

(Published in the Assam Gazette)

A

Regulation

Preamble : Whereas it is expedient to amend further the Pawi–Lakher Autonomous Region [Revenue Assessment] Regulation 1956, hereinafter referred to as the “Principal Regulation”;

It is hereby enacted in the Tenth year of the Republic of India, as follows –

1. Short title, extent and commencement.

- (1) This Regulation shall be called the Pawi–Lakher Autonomous Region [Revenue Assessment] [Second Amendment] Regulation 1959;
- (2) It shall have the like extent as the Principal Regulation.
- (3) It shall come into force at once.

2. In the fourth line of sub clause (iv) of clause 3 of the Principal Regulation, “Rs. 6” shall be substituted for the words “varying from Rs. 2 to Rs. 10”

3. Delete full stop at the end of sub-clause (v) of clause 3 and add the words “in addition to the amount of tax mentioned in sub-clause (iv) above”
4. Delete the whole of section 4 and substitute the following for it –
 “The Executive Committee may exempt, for any period thought necessary, any person who, due to poverty, is unable to pay any tax from payment of any tax provided the person can give sufficient reason for such exemption.”
5. Substitute the following for Section 7. – “7. In default of payment of any tax levied by or under this Regulation within the period prescribed by the Executive Committee, the defaulter shall be required to pay double the amount he has to pay.”

H. KIAUTUMA
 Chief Executive Member
 Pawi-Lakher Regional Council

The 5th April 1963

No. RCG 38/63/17-18 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Regulation of the Pawi-Lakher Regional Council, is hereby published for general information.

Regulation No. I of 1963

**THE PAWI-LAKHER AUTONOMOUS REGION
 (REVENUE ASSESSMENT)
 REGULATION, 1963**

(Passed by the Pawi-Lakher Regional Council)

A
Regulation

to provide for the levy and collection of certain taxes and tolls.

Preamble – Whereas it is expedient to provide for the levy and collection of certain taxes and tolls.

It is hereby enacted in the fourteenth year of the Republic of India as follows–

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

1. This Regulation may be called the Pawi-Lakher Autonomous Region [Revenue Assessment] Regulation 1963.
2. It shall extend to the entire area of the Pawi-Lakher Autonomous Region.
3. It shall come into force at once.

2. **Definition :** In this Regulation, except where it is otherwise expressly provided for or the content otherwise requires –

- (a) “land” has the same meaning as assigned to it as the Pawi-Lakher Autonomous Region (Land and Revenue) Act, 1960.
- (b) “garden” and “wet cultivation” have the same meaning as assigned to them in the Pawi-Lakher Autonomous Region (Agricultural Land) Act 1960.
- (c) “nul” means a cultivation along the rivers for plantation of yearly crops;

3. The provisions of the following Regulations are hereby repealed –

- (1) The Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1954.

- (2) The Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1956 (Regulation No. 1 of 1956)
 - (3) The Pawi-Lakher Autonomous Region (Revenue Assessment) [Amendment] Regulation 1958 : [Regulation No. 1 of 1956].
 - (4) The Pawi-Lakher Autonomous Region (Revenue Assessment) [Amendment] Regulation 1958; (Regulation No 1 of 1959)
 - (5) The Pawi-Lakher Autonomous Region (Revenue Assessment) [Second Amendment] Regulation 1959; (Regulation No III of 1959).
4. Notwithstanding anything contained in Section 3, any action taken or proceedings made under any of the Regulations referred to therein shall be deemed to be the action taken or proceedings made under this Regulations.
5. **Taxes and Lands :**
- (i) All lands under wet cultivation shall be assessed to an annual tax of Rs. 20/- per hectare;
 - (ii) Every garden which is registered in the office of the Regional Council under the provisions of the Pawi-Lakher Autonomous Region (Agricultural land) Act 1960 shall be assessed to an annual tax of Rs. 10/- per hectare;
 - (iii) Every unauthorised or unregistered garden shall be assessed to a tax at the rate to be fixed by the Regional Council;
 - (iv) Every fish pond under private sector shall be assessed to a tax at the rate to be fixed by the Regional Council.

- (v) The Executive Committee may, by its order, vary the rates of taxation mentioned in sub-clauses (i) and (ii) above in such towns or other areas as may be notified from time to time.

6. **Taxes on Buildings**

- (i) Buildings in every house other than those belonging to the State Government and the Regional Council and such other buildings which the Executive Committee may, by order, exempt shall be assessed to an annual tax of Rs. 5/- for each building.
- (ii) Every stall or shop building shall be assessed to an annual tax of Rs. 10/-

7. **Taxes on land under lease** – All lands under lease shall not be assessed to taxes other than those provided in the Pawi-Lakher Autonomous Region (Land and Revenue) Act 1960.

8. **Jhumina Fee** – (ii) Choice of Jhum for bidders shall be in the order of the amount of bids offered by them and accepted by the Village Council.

Provided that the amount of bid offered shall, in no case, be less than Rs. 10/-

9. **Tolls on person** – Any person having ‘nul’ for plantation of the under mentioned crops along the river shall be required to pay an annual toll as noted below against each –

	Rs.	P.
(1) Onion	30.00	per hectare
(2) Tobacco	30.00	per hectare
(3) Mustard	20.00	per hectare

- | | |
|--------------------|-------------------|
| (4) Cotton | 20.00 per hectare |
| (5) Potatoes | 20.00 per hectare |
| (6) Sweet Potatoes | 20.00 per hectare |
| (7) Sessamum | 10.00 per hectare |
| (8) Chili | 10.00 per hectare |
| (9) Ginger | 10.00 per hectare |
10. **Taxes on entry of goods into market for sale therein** – Every person who comes to a market with any commodity or commodities for sale therein, shall pay on every marketing day a tax at the rate of 15 Np. (fifteen) naye paise for the entry of such commodity or commodities into the market for sale therein, to the contractors appointed by Regional Council on such terms and conditions as may be imposed upon them.
11. **Preparation of Assessment lists** –
- (i) The Executive Committee shall cause to be prepared each year in the months of September and October list of house shops, stalls, gardens, wet cultivations, fish ponds and nuls for the purpose of assessment of taxes for the ensuring financial year in the manner it considers appropriate.
 - (ii) It shall be the duty of the Village Councils to render all possible helps in collecting correct figures of the required information in respect of the different items mentioned in sub clause (i) above.
12. **Submission of taxes to the Council** –
- (i) All the taxes collected by the Village Council and Circle Supervisors shall be submitted to the office of the Regional Council positively before the end of the month of each financial year.

- (ii) Any person who fails to pay any of the taxes leviable by or under this Regulation within the Scheduled period shall be declared defaulter.

13. **Power of Remission –**

- (i) The Executive Committee shall have the power to remit any of the taxes under unavoidable circumstances.
- (ii) The Executive Committee may exempt, for any period considered necessary any person from payment of any tax for poverty or any other reasons considered to be sufficient cause for such exemption.

14. **Records of taxes –** All the taxes and tolls collected shall be entered in a Register to be maintained chronologically in the office of the Regional Council. Each entry shall be duly attested by the Chief Executive Member or any officer authorised by him in writing by affixing his signature and date.

15. **Penalty –**

- (i) In default of payment of any tax leviable by or under this Regulation within the period mentioned in clause 11 (i) above the defaulter shall be required to pay double the amount he has to pay within the period to be prescribed by the Executive Committee.
- (ii) If the defaulter still refuses to clear his dues within the prescribed period, the Executive Committee shall have the powers to attach, for realisation of the dues mentioned in sub-clause (i) above, sufficient properties of the defaulter and sell such properties or any part of it by public auction after serving a notice for

such sale on the defaulter and in the locality, the period of such notice being not less than fifteen days.

- (iii) The Chief Executive Member, may, if and when considered necessary, requisition the services of the regular police by applying to the Subdivisional Officer, Lungleh, who, on receipt of such application, shall immediately arrange such necessary help.

Sangluaia
Chairman,
Pawi – Lakher Regional Council,
Saiha

The 1st March, 1954

No. RCE 11/54/9/351 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Rules made by the Pawi – Lakher Regional Council with the previous approval of the Government of Assam under sub-paragraph (4) of paragraph 4 of the said Sixth Schedule are hereby published.

THE PAWI – LAKHER AUTONOMOUS REGION (ADMINISTRATION OF JUSTICE) RULES, 1954

CHAPTER I

Preliminary

1. (1) These Rules may be called The Pawi Lakher Autonomous Region (Administration of Justice) Rules, 1954.

- (2) These Rules shall apply to the whole of the Pawi-Lakher Autonomous Region constituted under Government Notification No TAD/R/10/50, date 31st July, 1951.
 - (3) They shall come into force at once, but the Courts constituted under these Rules shall commence functioning on such date as the Executive Committee may, by notification in the Gazette, appoint in this behalf, herein after referred to as 'the appointed day.'
2. (1) In these Rules, unless there is anything repugant or the context otherwise requires :
- (a) "Constitution" means the Constitution of India;
 - (b) "Deputy Commissioner" includes Subdivisional Officer, Lungleh;
 - (c) "District Council" means the District Council of the Lushai Hills District;
 - (d) "Executive Committee" means the Executive Committee of the Regional Council, appointed under the Pawi - Lakher Regional Council (Procedure and Conduct of Business) Rules, 1952, as amended by the Pawi - Lakher Regional Council (Procedure and Conduct of Business) (Amendment, Act, 1954 and the term "Chief Executive member" shall be construed accordingly;
 - (e) "Gazatte" means the Assam Gazatte;
 - (f) "Governor" means the Governor of Assam;
 - (g) "High Court" means the High Court of Assam;
 - (h) "recognised" means recognised by the Regional Council;

- (i) “Regional Council” means the Pawi - Lakher Regional Council;
- (j) “Regional Council” means the Pawi - Lakher Regional Council constituted under the provisions of the sixth Schedule to the constitution and in accordance with the Pawi - Lakher Autonomous Region [Constitution of Regional Council] Rules, 1952;
- (k) “Schedule tribe or tribes” means such tribe or tribes as are specified by the President of India under article 342 [1] of the Constitution as modified by law made by the Parliament from time to time in so far as the specification pertains to the Autonomous Districts of Assam;
- (l) “Village” means an area declared as such by the Regional Council;
- (m) “Village Council” means a Village Council constituted for a village under Rule 4.

Note : Any expressions not defined in these Rule but occurring therein, shall be deemed to have the same meanings in which they are used in the Constitution, or in the Indian Penal Code, 1860, as the case may be, in so far as they are consistent with the circumstances of the particular case or cases,

3. Except where the context otherwise requires, the General Clauses Act, 1897 and the Assam General Clause Act, 1915, shall apply for the interpretation of these Rules, as they apply for the interpretation of an Act of Parliament or of the Legislature of the State of Assam, as the case may be.

CHAPTER II

Constitution of Village Councils

4. (1) There shall be a Village Council for each village within the jurisdiction of the Regional Council to be composed in the manner hereinafter provided in sub-rule (2) of this Rule.
- (2) Each Village Council shall be composed of three to nine members of whom one third or nearest shall be nominated by the Regional Council and the rest elected by the adult members of the village, provided that a member of the District Council or Regional Council, shall not be a member of the Village Council or Court.
- (3) The Regional Council shall decide as to how many members shall constitute the Village Council in respect of each village subject to the provision of sub-rule (2).
- (4) There shall be a President in each Village Council. The President shall be elected from amongst themselves by a majority of votes.
- (5) There shall be a Vice President in each Village Council. The Vice President shall be elected from amongst themselves by a majority of votes.
- (6) If the office of the President of a Village Council has fallen vacant owing to death or resignation or otherwise the Regional Council shall appoint a new President as soon as possible.
- (7) Every Village Council or Court shall have a life of three years from the date of its first meeting unless dissolved earlier by the Regional Council.

- (8) For the purpose of this rule, the Regional Council shall publish in the Gazette a list of village within its jurisdiction.

CHAPTER III

CONSTITUTION OF COURT

5. (1) There shall be two classes of Courts, as specified below, in the areas within the Pawi-Lakher Autonomous Region, to be constituted by the Regional Council for the trial of suits and cases between the parties all of whom belong to a Scheduled Tribe or Tribes within such areas, other than suits and cases to which the provisions of sub-paragraph (1) of paragraph 5 of the Sixth Schedule to the Constitution apply :
- (i) Village Courts,
 - (ii) Regional Council Court.

I Village Courts

6. (1) The Village Council for each village shall sit as the Village Court. Sittings of the Village Court shall be called by the President whenever necessary.
- (2) The quorum to constitute a Court, shall be half or nearest half the total number of members of such Court, subject to the minimum of two.

II Regional Council Court

7. (1) There shall be one Regional Council Court for the Pawi – Lakher Autonomous Region which shall be called the Pawi – Lakher Regional Council Court.

The Court shall be presided over by two or more Judicial Officers. The Magistrate for the Pawi – Lakher Region now posted at Saiha shall be the Honorary President and Recorder of the Court and the other Judicial Officer or officers shall be appointed by the Regional Council with the previous approval of the Governor.

Provided that no member of the Regional Council shall be eligible to be appointed as a Judicial Officer.

- (2) The two Judicial Officers or, if there are more than two Judicial Officers, any two or more Judicial Officer as may be directed by the Regional Council, shall sit together as a Bench.
8. The Regional Council Court shall ordinarily sit at Saiha. The Court may sit at such other place or places as may be directed by general or special order by the Regional Council for the disposal of particular case or cases or class or classes of case specified in the order.
9. The conditions of service of Judicial Officers of the Regional Council Court shall be regulated by the rules or order made or issued, as the case may be, under rule 7 of the Pawi - Lakher Regional Council (Procedure and Conduct of Business) Rules, 1952.

CHAPTER IV

POWERS OF COURTS

I Village Court

10. A Village Court shall try suits and cases of the following nature in which both the parties belong to a Scheduled

Tribe or Tribes resident within its jurisdiction :

- (a) Cases of civil and miscellaneous nature falling within the purview of village or tribal laws and customs where both the parties reside within the jurisdiction of the same village.
- (b) Criminal cases falling within the purview of tribal laws and customs and offences of petty nature, such as petty theft and pilfering, mischief and trespass of petty nature, simple assault and hurt affront and affray of whatever kind, drunken or disorderly brawling, public nuisance and simple cases of wrongful restraint, occurring within the jurisdiction of the village.

Provided that the Village Court shall not be competent to try offences in respect of which the punishment of imprisonment is obligatory under the Indian Penal Code.

- 11. (1) A Village Court shall not be competent to pass a sentence of imprisonment in any criminal case. It shall have power to impose a fine for any offence it is competent to try, upto a limit of Rs. 50/- (Rupees fifty) only. It may award payment in restitution or compensation to the aggrieved or injured party in accordance with the Customary law.
- (2) In a civil case. A village Court shall have power to award all costs, as also compensation to those against whom unfounded or vexatious suits and cases have been instituted before the Court.
- (3) The fine and payment imposed and ordered under sub-rules (1) and (2) may be enforced by distraint of the property of the offender.

12. A Village Court shall have power to order attendance of the accused and the witnesses to be examined in the case, and to impose a fine not exceeding Rs. 25/- (Rupees twenty five) only on any person wilfully failing to attend when so ordered.
13. If any person, on whom a fine or any payment has been imposed by a Village Court fails to deposit the amount at once or within such time as the Village Court may allow, the Court shall report the matter to the Chief Executive Member for necessary action to realise the fine or dues in such manner as it may deem fit unless the accused person gives notice to appeal against such order or decision, in time.
14. Where a Village Court is of opinion that the sentence it is competent to pass is insufficient in the circumstances of the case, it shall without delay refer the case to the Regional Council Court and the Court shall dispose of the case in accordance with these Rules.
15. An appeal against conviction shall lie to the Regional Council Court from any order or sentence passed by a Village Court in a criminal case, or from the decision of a Village Court in any other case, of the appeal in preferred within sixty days of the conviction or sentence or decision of the Village Court, The Regional Council while hearing the appeal, may decide the appeal after perusal of the records of the case or may try the case 'denovo.'

II. REGIONAL COUNCIL COURT

16. Save as otherwise provided in the constitution and in these

Rules, a Regional Council Court shall exercise such powers as defined in Chapter III of the Code of Criminal Procedure, 1898, as it may be invested with by Regional Council with the approval of the Governor.

17. (a) The Regional Council Court shall have original jurisdiction in all civil suits in which both the parties do not reside within the local jurisdiction of the same Village Court, but do so within the areas under the jurisdiction of Regional Council Court and also in cases and suits referred to it by a Village Court under rule 14.
- (b) The Regional Council Court shall also have original jurisdiction to try under paragraph 4 [1] of the Sixth Schedule to the Constitution and which are not triable by a Village Court.
18. Subject to the provisions of rule 17, the Regional Council Court shall be competent to try all suits and cases in which both the parties belong to Scheduled Tribes or Tribal resident within the jurisdiction of the Regional Council Court other than suits and cases referred to in rule 19.
19. (1) The Regional Council Court shall not be competent to try suits and cases –
 - (a) to which the provisions or sub-paragraph (1) of paragraph six of the Sixth Schedule to the Constitution apply, unless the Court has been authorised by the Governor to exercise such powers for the trial of particular class or classes of cases and suits specified in that behalf by the Governor as required under the said sub-paragraph (1) of paragraph 5 of the Sixth Schedule.

- (b) in which one of the parties is a person not belonging to a Scheduled Tribe,
 - (c) in respect of offences –
 - (i) under section 124A, 147 and 154 of the India Penal Code,
 - (ii) under Chapter X of the same Code in so far as they relate to the contempt of a lawful authority constituted by the Regional Council,
 - (iii) of giving or fabricating false evidence as specified in section 193 of the same Code in any case triable by a Court other than a Court constituted by the Regional Council under these rules.
- (2) Unless specially empowered by the Governor by notification in the Gazette, the Regional Council Court shall not be competent to exercise powers in –
- [a] cases relating to the security for keeping the peace and good behaviour similar to those contemplated under section 107 of the Code of Criminal Procedure 1898,
 - [b] cases relating to the security for good behaviour from persons disseminating seditious matter similar to those contemplated under section 100 of the same Code,
 - [c] case relating to the security for good behaviour from vagrants and suspected persons similar to those contemplated under section 109 of the same Code;

- [d] case relating to the security for good behaviour from habitual offenders similar to those contemplated under section 110 of the same Code;
 - [e] urgent cases of nuisance or apprehended danger similar to those contemplated under section 144 the same Code;
 - [f] disputes as to immovable property of the nature similar to that contemplated under section 145 of the same code;
 - [g] cases in which a public servant who is not removable from his office save by or with the sanction of the government of Assam or some higher authority is accused of any offence alleged to have been committed by him while acting or purporting to act in the discharge of his official duty.
20. (1) Suits and cases referred to in rule 19 shall continue to be tried and dealt with by the existing courts until such time as the Governor deems fit to invest the Regional Council Court with such powers by notification in the Gazette.
- (2) For the purpose of this rule the existing Court means the Court of the Deputy Commissioner and his Assistants.
21. Whenever there is any likelihood of breach of peace or whenever any person accused of an offence involving a breach of peace, or of a betting the same or any person accused of committing criminal intimidation is convicted of such offence by the Regional Council Court and such

Court is of opinion that it is necessary to require such person to execute a bond for keeping the peace, the matter shall be referred to the Deputy Commissioner who shall take necessary action in accordance with law.

22. Whenever the Regional Council Court is informed that –
- (a) any person is likely to commit a breach of the peace or disturb the public tranquility, or to do any wrongful act that may probably occasion a breach of the peace, or disturb the public tranquility.
 - (b) there is within the limits of its jurisdiction any person who within or without such limits, either orally or in writing or in any other manner intentionally disseminates or attempts to disseminate, or in any wise abets the dissemination of –
 - (i) any seditious matters, that is to say, any matter the publication of which is punishable under section 124-A or section 153-A of the Indian Penal Code,
 - (ii) and matter concerning a judge which amounts to criminal intimidation or defamation under the Indian Penal Code.
 - (c) any person is taking precautions to conceal his presence within the local limits of such courts jurisdiction and there is reason to believe that such person is taking such precautions with a view to committing any offence.

or

there is any person within such limits who has no ostensible means or subsistence or who cannot give a satisfaction account of himself,

- (d) any person within the local limits of the courts jurisdiction –
- (i) is by habit a robber, house breaker, thief or forger or
 - (ii) is by habit a receiver of a stolen property knowing the same to have been stolen, or
 - (iii) habitually protects or harbours thieves or aids in the concealment or disposal of stolen property, or
 - (iv) habitually commits, or attempts to commit or abets the commission of the offence of kidnapping, abducting, extortion, cheating or mischief or any offence punishable under Chapter XII of the Indian Penal Code or under section 489-A, Section 489-E, Section 489-C or Section 489-D, of that Code;
 - (v) habitually commits or attempts to commit or abets the commission of offences involving a breach of the peace, or
 - (vi) is so desperate and dangerous as to render his being at large without security hazardous to the community;

the Court shall refer the matter to the Chief Executive Member for reference to the Deputy Commissioner who shall, on such reference being made to him, deal with the case in accordance with law.

23. In case where, in the opinion of the Regional Council Court there is sufficient ground for proceedings under section 144 of the Code of the Criminal Procedure, 1898,

and immediate preventive or speedy remedy is desirable, such Court shall refer the matter to the Chief Executive Member for making a reference to the Deputy Commissioner who shall on such reference being made to him take such action as he considers necessary under the said section.

24. Whenever the Regional Council Court is satisfied that dispute likely to cause a breach of the peace exists concerning any land or water or the boundaries thereof, within the local limits of its jurisdiction, such Court shall refer the matter to the Deputy Commissioner through the Chief Executive Member and the Deputy Commissioner whenever such a reference is made to him, shall take action as he considers necessary under law.
25. In Criminal cases, the Region Council Court may, subject to the provisions of the Constitution and of these rules, pass any sentence authorised by any law for the time being in force.
26.
 - (1) Subject to the provisions of rules 17 and 28 the Regional Council Court shall be a court of appeal in respect of all suits and cases triable by Village Court.
 - (2) The regional Council Court may, subject to the provisions of these rules, pass any order an appeal authorised by any law for the time being in force.
 - (3) The Regional Council Court may call for and examine the records of any proceedings of a Village Court and may enhance, reduce, cancel or modify any sentence or finding passed by such court of remand the case for retrial.

27. [1] If it appears to the Regional Council Court –
- (a) that a fair and impartial inquiry or trial cannot be had in any Village Court;
 - (b) that some questions of law, triable or otherwise, or unusual difficulty is likely to arise;
- it may order
- (i) that any offence be inquired into or tried by another Village Court;
 - (ii) that any particular case or class of cases be transferred from one village court to another village court;
 - (iii) that any particular case be transferred to and tried itself.
- [2] When the Regional Council Court withdraws for trial before itself any case from any court other than the court of origin it shall observe in such trial the same procedure which that Court would have observed, if the case had not been withdrawn.
- [3] The Regional Council Court may act either on the report of the Lower Court or on the application of a party interested or on its own initiative.
28. (1) When any person is convicted of an offence which the Regional Council Court is competent to try under these rules, and no previous conviction is proved against the offender, if it appears to that court, regard being had to the age, character or antecedents of the offender, and to the circumstances in which the offence was committed, that it is expedient that the offender should be released on probation of good

conduct, the court may instead or sentencing him at once to any punishment, direct that he be released on his entering into a bond with or without sureties to appear and receive sentence when called upon during such period not exceeding three years as the court may direct and in the mean time to keep the peace and be of good behaviour.

- (2) In any case in which a person is convicted of theft, theft in a building, dishonest misappropriation, cheating of any offence under the Indian Penal Code punishable with not more than two year imprisonment and no previous conviction is proved against him, the Regional Court before which he is so convicted may, if it thinks fit, having regard to the age, character; antecedents or physical or mental condition of the offender and to the trivial nature of offence or any extenuating circumstances under which the offence was committed, instead of sentencing him to any punishment, release him after due admonition.
 - (3) The provisions of section 122, 126 A and 406 A of the Code of Criminal Procedure shall apply mutandis in the case of sureties offered in pursuance of the provisions of this rule.
29. (1) If the Regional Council Court is satisfied that an offender convicted and released under rule 28 has failed to observe any of the conditions of his recognisance, it may issue a warrant for his apprehension.
- (2) An offender when apprehended on any such warrant shall be brought to the Regional Council Court as

soon as may be within a period of twenty four hours of apprehension excluding the time necessary for the journey from the place of apprehension to the Court may either remand him in custody until the case is heard or admit him to bail with a sufficient surety conditioned on his appearing for sentence. The Court may after hearing the case, pass sentence.

- (3) A warrant for the apprehension of an offender under sub-rule (1) shall ordinarily be directed to the Subdivisional Officer, Lungleh through the Chief Executive Member, but the Court may, if its immediate execution is necessary, direct it to any other persons or person, and such person or persons shall execute the same.
30. The Court directing the release of an offender under sub-rule (1) of rule 28 shall be satisfied that the offender or his surety (if any) has a fixed place of abode or regular occupation in the place for which the Court acts or in which the offender is likely to live during the period named for the observance of the conditions.
31. (1) In a criminal case the Regional Council or the Governor may direct an appeal including an appeal against acquittal to be presented to the Regional Council Court from any order passed by a Village Court.
(2) An appeal under sub-rule (1) shall be presented within sixty days of the date of order appealed against, excluding the time needed for obtaining a copy of the order.

CHAPTER V
PROCEDURE
I Village Courts

32. A Village Court shall try all suits and cases in accordance with the customary laws of the Village or Villages.
33. A Village Court shall try all cases in open Darbar in the presence of the complainant and the accused and their witness, if any. After hearing both parties and their witness, if any it shall decide the issue by a simple majority of votes and pronounce the decision as soon as possible.
34. Except where a Village Court otherwise decides only verbal notice is required to be given by the Village Court to parties to a suit and their witnesses and for a fixed day not exceeding eight days from the day it is given. If a case is postponed, it shall be fixed for a day not exceeding 15 days from the date of the order of postponement, and the case may be subsequently adjourned for a period not exceeding 7 days at a time on good cause shown. The order shall be made known to the persons concerned or to some adult member of his family and failing this shall be openly proclaimed at the place where he is or was known to be, or shall be communicated to him or any members of his family by a written notice, giving sufficient time to allow him to appear.
35.
 - (1) The full proceedings of a Village Court need not be recorded in writing but the Regional Court may require a Village Court or courts to report its or their proceedings in any way which appear to it suitable.
 - (2) Registers of all suits and cases disposed of by or Village Court, shall be kept by the respective Courts

in the forms as provided in Appendix I

36. A Village Court may carry out its decision or may subject to the provisions of rule 49, order attachment of property as soon as judgement is pronounced, but in no case is property so attached to be sold, if the party concerned claims to appeal within 60 days without the orders of the Regional Council.

II. Regional Council Court

37. (1) In criminal cases the Regional Council Court shall, subject to the provisions of this rule, follow in spirit the procedure laid down in the Code of Criminal Procedure, 1898, as far as practiceable and in so far as it is not inconsistent with these rules. The chief exceptions are as hereafter specified in these rules.
- (2) Wherever the Regional Council Court requires, in course of the discharge of its functions, the services of the regular Police which is at the disposal of the Deputy Commissioner and his Assistants, the Regional Council Court may send a requisition for such services to the Sub-Division of Officer or his Assistant who is working on behalf of the Deputy Commissioner in the Lungleh subdivision. The Subdivisional Officer or his Assistants will generally comply with such requisition unless he considers the compliance to be not possible for any special reasons.
- (3) Summons on any person residing outside the jurisdiction of the Pawi-Lakher Autonomous Region or the Lushai Hills Autonomous District shall be issued by the Regional Council Court through the Sub-

Devisional officer of the Subdivision or the Deputy Commissioner of the District respectively.

- (4) The Regional Council Court shall keep a note of the substance of the proceedings in cases tried by it in the form prescribed in Appendix II.

In cases in which a sentence of imprisonment of not less than three months is imposed full note of the evidence and proceedings must be kept.

- (5) There shall be no preliminary inquiries by the regular police or village Police unless the Regional Council Court sees fit to direct so.
- (6) Recognisance to appear need not be taken unless it seems necessary to the Regional Council Court.
- (7) Examinations and proceedings in the Regional Council Court shall be in English or in any of the recognised languages of the Region.
- (8) It shall not be necessary to examine witnesses upon oath or affirmation unless the accused so desires. It shall suffice if the Regional Council Court at the commencement of any trial, inform the accused that, if he so requires, the witnesses will put on oath. It is, at all times optional with the court to put witness, on oath or affirmation but witnesses, whether on oath or affirmation or not, shall be punishable for giving false evidence.

38. The Regional Council Court shall keep register in the forms prescribed in Appendix III and in addition such other register as may be directed by the High Court.

39. (1) In all civil cases the Regional Council Court shall adjudicate according to law, justice, equity and good conscience consistent with the circumstances of the case.
- (2) It shall be discretionary to examine witnesses on oath or affirmation in any form or to warn them that they are liable to punishment for perjury if they state that which they know to be false.
40. The Regional Council Court, when an appeal in a civil suit is filed before it, may before admitting the appeal, order the deposit by the appellant of all reasonable expenses likely in its opinion to be incurred by the respondent in the hearing of the appeal or may order security to be given for such expenses and if the appellant be a judgement debtor, may also order security to be given for part of the whole of the decretal amount.
41. In civil cases the procedure of the Regional Council Court shall be guided by the spirit, but not bound by the letter, of the Code of Civil Proceeding, 1908 in all matters not covered by recognised customary laws or usages of the Region.
42. The decree of the Appellate Court in a civil case shall be transferred to the Court passing the original order for execution as a decree of its own.
43. There shall be no imprisonment for debt, except in cases where the Regional Council Court is satisfied that fraudulent disposal or concealment of property has taken place and in such cases the debtor may be detained for a period not exceeding six months.

44. Any legal practitioner may appear in any case before the Regional Council Court.

Provided that in cases where an accused is not arrested, the legal practitioner shall take previous permission of the Regional Council.

45. Whenever in the course of an inquiry trial or other proceedings under these rules before the Regional Council Court it appears that a Commission ought to be issued for examination of a witness whose evidence is necessary for the ends of justice and that the attendance of such witness cannot be procured without an amount of delay, expense or inconvenience which under the circumstances of the case would be unreasonable, the Court shall, apply to the Deputy Commissioner stating the reasons for the application, and the Deputy Commissioner may either issue a commission or reject the application.

CHAPTER IV

EXECUTION OF SENTENCE, DECREE AND ORDERS

Execution

46. (1) Whenever a Village Court has sentenced an offender to pay a fine in a criminal case or has passed an order for the payment of any money by a person in a civil suit the Court may, subject to the provisions of rule 31 –
- [a] issue a parwana for the payment of the amount by the offender or the person concerned;
 - [b] may apply, in writing to the Chief Executive Member of the Regional Council to realise the

amount by execution according to civil process against the movable or immovable property, or both, of the defaulter.

- (2) Where an application is made, under clause (6) or sub rule [1] to the Chief Executive Member, the application shall be deemed to be a decree executed according to the spirit of the Civil Procedure Code.
 - (3) In the event of non recovery of the amount of execution, the Executive Committee may, by an application, move the Regional Council Court for the arrest and detention of the offender or the person concerned in execution of the decree.
 - (4) Whenever an application is made under sub rule (3) the Regional Council Court may order for the arrest and detention of the offender or the person concerned in execution of the decree according to the decree, according to the spirit of the Criminal Procedure Code.
47. (1) Subject to the provisions of rules 38 and 41, the Regional Council Court shall cause a sentence, order decree passed by it, to be carried into effect in accordance with the procedure prescribed by the Code of Criminal Procedure, 1898 or the Code of Civil Procedure, 1908, as the case may be, references herein to the "Collector of the District" being construed as referring to the "Chief Executive Member of the Regional Council."
- (2) Every warrant for the execution of a sentence of imprisonment shall be directed to the officer incharge of the jail maintained by the State Government in

which the prisoner is, or is to be confined, through the Subdivisional Officer and the Deputy Commissioner.

- (4) Subject to sub-rule (2) above, when a prisoner is to be confined in a jail, the warrant shall be lodged with the jailor through the Deputy Commissioner.
- 48. (4) Whenever a parwana (warrant) is issued by a Court against a person who is absconding or is concealing himself in connection with any criminal proceedings, any property, moveable or immovable, belonging to him is liable to attachment according to the Civil process prescribed in rule 49 of these rules.

Attachment of Rules

- 49. (1) Property, moveable or immovable, belonging to the judgment debtor over which or the profits of which he has a disposing power which he may exercise for his own benefit, whether the same be held in the name of the judgment-debtor or by another person in trust for him or in his behalf is liable to attachment and sale in execution of a decree.

Provided that only those moveable and immovable properties should be attached as are permitted by tribal custom.

- (2) Nothing in this rule shall be deemed to exempt houses and other buildings (with the materials and the site thereof and the land immediately appertenant thereto and necessary for their enjoyment) from attachment of sale in execution of decrees for rent of any such house, building, site or land, if themselves be subject of the suit.

- (3) Subject to the provision of rule 41 and 46, the procedure for the attachment of the property shall be in the spirit of the Code of Criminal procedure, 1898 or the Code of Civil Procedure. 1908, as the case may be.

Miscellaneous

50. Whenever the Regional Council Court passes any order for the detention of lunatic accused, the Regional Council shall refer the matter to the Deputy Commissioner through the Subdivisional Officer who shall deal with the case following the spirit of the code of Criminal Procedure, 1898 and in accordance with rules made by the Government of Assam under the Indian Lunacy Act, 1912.
51. No Judicial Officer shall, except with the permission of the Court to which an appeal lies from his Court, try or commit for trial, any case to or in which he is a party, or personally interested, and no Judicial Officer shall hear an appeal from any judgment or order passed or made by himself.

Explanation : A Judicial Officer shall not be deemed to be a party or personally interested within the meaning of this rule to or in any case by reason only that he is a Member of any Town Committee (or a Municipal Board) or otherwise concerned therewith in public capacity, or by reason only that he has viewed the place in which an offence alleged to have been committed, or any other place in which any other transaction material to the case is alleged to have occurred, and made and Inquiry in connection with the case.

Repeal and Savings.

52. (1) The provisions of the Rules for the Regulation of the Procedure of Officers appointed to administer justice in the Lushai Hills published in the Government of Assam's Notification No 2530 (a) A.P. dated the 25th March 1937, as adapted and modified by the Assam Autonomous District Administration of justice, Regulation, 1952, are thereby repealed in so far as they relate to the matter dealt with in these Rules, with effect from the appointed day.
- (2) Notwithstanding such repeal every suit, appeal, application for revision, proceedings and other business relating to both civil and criminal justice, pending on the appointed day before the court of the Deputy Commissioner or his Assistants shall be transferred or deemed to have been transferred for disposal to the Court which would have been competent to entertain and dispose of such suit, appeal, application for revision, proceeding or business, had these Rules been in force on the date of institution or commencement of the same and the latter Court should deal with and dispose of the same in accordance with law.

In authentication whereof, I give my signature this 1st day of March, 1954.

APPENDIX I
Vide Rule 35 (2)

I - Registration of Petition

1. Date
2. Name of petitioner
3. Subject of petition
4. Name of defendant
5. Date of hearing
6. Date of disposed and how disposal of, viz. –

Decree for plaintiff or decree for defendant, or withdrawn,
as the case may be.

II Register of cases

Names of parties

Subject of claim

Before what court tried

In case proceeded with exparte – Whether notice on defendant
is proved, or where both or all parties are present or repre-
sented, that they are so present or represented.

Statement of plaintiff

Statement of defendant

Evidence of plaintiff

Evidence of defendant

Judgment and finding of the Court

Order as to costs

III Register of Executions

1. Date
2. Name of decree-holder
3. Name of Judgment - debtor
4. Name of property to be attached
5. Date of Issue of attachment
6. Date fixed for Sale (and date to which sale may be postponed)
7. Date of satisfaction of property or payment of amount due and receipt of decree-holders.

Civil Suits

Sl. No.	Date of filing the suits,	Name and Address of Plaintiff(s)	Name and Address of defendant(s)	CLAIM		Finding of the Court	Date on which the proceedings terminated
				Particular	Amount of Value		
1	2	3	4	5	6	7	8

APPENDIX III
(Vide Rule 38)

I—Register of Petition, etc.

Date	Serial No.	Number of case, if any, to which petition relates	Nature of document, if a petition what for	Name of petitioner	Address of petitioner	Remarks
1	2	3	4	5	6	7

Note 1 – In column 4 for stating nature of document use P for Petitions. Pl for Plaints, E.P for Execution Petitions, O.P for Original Petitions, AP for Appeals, A for Affidavits, V for Vakalatnama, etc.

Note 2 – Petitions etc. returned should be noted in the remarks column with date.

II – REGISTER OF CRIMES

	1	Serial number, date and section of first information report, name and if necessary address of complainant.
	2	Date and time of occurrence with phase of moon and day of week.
	3	Offence, modus operandi, cause or absent of crime, nature of weapons and implements used.
	4	Stolen
	5	Recovered
	6	Names with aliases, percentage, cast and residence of persons accused or suspected, with full grounds for suspicion and cross references if any
	7	Full name and rank of Investigating Officer, result of cases with name of Judicial Officer and date of disposal

Value of Property

III- REGISTER OF CRIMINAL CASES DISPOSED OF

		Serial Number case in the	1	Serial Number of records
			2	Name of Judicial Officer
			3	Register of complaints of offences
			4	Judicial Officers, General Register of cases cognizable by the police
			5	Register of unimportant cases Cognizable by the police in which the first information report is not used.
			6	Register of miscellaneous cases
			7	Name of complainant
			8	Name of accused.
			9	Nature of case with the section of the Penal Code or other Act Applicable
			10	Final order passed and details of sentence.
			11	Result of appeal or revision
			12	Date of decision
			13	Name of proclaimed offenders not arrested
			14	Date when disposed of and shelved in the record room
			15	Number of shelf and ack in the Record room
			16	Date of destruction of files, and initials of officers superintending destructions.
			17	Remarks

Date of despatch

NB : This list to be written in English

Date of receipt

Signature of the Officer of despatching court

Signature of Region Record – Keeper

	1	Consecutive member in month
	2	Number of cases
	3	Name of Officer imposing
	4	Name and place of residence of offender
	5	Offence and date of sentence
	6	Amount of fines
	7	Substantive
	8	In default of fine
	9	Amount remitted or written off
	10	Date of issue of warrant
	11	Thana to which issued
	12	Date of return of warrant
	13	Amount realised and date of realisation
	14	Balance
	15	Amount paid into District fund and date of payment
	16	Signature of cashier
	17	Signature of Clerk in charge of find Register
	18	Signature of fine Muharir of court to which the entry relates
	19	Signature of Judicial Officer
	20	Date on which the notice of realisation of fire is send to Jail
	21	Date on which the notice is received back from Jail after amendment of warrant
	22	Remarks

IV - REGISTER OF FINES

J.S. Basumatari
Chairman & Chief Executive
Pawi-Lakher Regional Council,
Lungleh

The 5th January, 1957

No RCE 17/56-57/157 : In exercise of the powers conferred by subparagraph (4) paragraph 4 of the Sixth Schedule to the Constitution of India, the Executive Committee of the Pawi-Lakher Regional Council with the previous approval of the Governor of Assam is pleased to make the following amendment to the Pawi-Lakher Autonomous Region (Administration of Justice) Rules, 1954, published with the Councils' Notification No. RCE 11/54/9/351, dated 1st March, 1954 :

Substitute Rule 7 with following :

- “7. (1) There shall be a Regional Council Court which shall be called the Pawi-Lakher Regional Council Court and shall have its jurisdiction over the entire area of the Pawi-Lakher Autonomous Region.
- (2) The Court shall be presided over by one Judicial Officer and the Magistrate of the State Government posted at Saiha shall be the honorary Judicial Officer and Recorder of the Court”.

Delete rule 9 and insert the word “ommitted” against this rule.

SAKIA
for Chief Executive Member,
Pawi-Lakher Regional Council

The 28th February, 1957

No. RCJ. 17/57/20 : In exercise of the powers conferred by sub rule (3) of Rule 1 of the Pawi-Lakher Autonomous Region (Administration) of Justice Rules, 1954, the Executive

Committee of the Pawi-Lakher Regional Council is pleased to appoint the 15th March 1957 as the date on which the Courts constituted under the said Rules shall commence functioning.

H. KIAUTUMA,
Chief Executive Member,
Pawi-Lakher Regional Council

No. RCJ. 2/58/29 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council, which received the approval of the Governor of Assam is hereby published for general information :

THE PAWI-LAKHER REGIONAL COUNCIL
ACT NO III OF 1958

The Pawi-Lakher Autonomous Region (Administration of Justice) Rules (Amendment) Act, 1958.

(Passed by the Pawi-Lakher Regional Council)

(Published in the Assam Gazette, dated the 20th August, 1958)

**An
Act**

to amend the Pawi-Lakher Autonomous Region (Administration of Justice of) Rules, 1954.

Preamble : Whereas it is expedient to amend the Pawi-Lakher Autonomous Region (Administration of Justice) Rules, 1954, hereinafter referred to as “the Principal Rules.”

Be it enacted in the Ninth year of the Republic of India, as follows :

1. Short title, extent and commencement :

- (1) This Act may be called the Pawi–Lakher Autonomous Region (Administration of Justice) Rules (Amendment) Act, 1958.
- (2) It shall have the like extent as the Principal Rules.
- (3) It shall come into force from such date as the Regional Council may, by notification, appoint on this behalf.

2. In rule 7 of the Principal Rules insert the following as new sub rule (3)

“(3) Notwithstanding anything contained in sub-rule (2) of this Rule, the Regional Council may, with the prior approval of the Governor, appoint any person other than the Magistrate of the State Government posted at Saiha, as the Judicial Officer and the Recorder of the Court;

Provided that no member of the Regional Council shall be eligible to be appointed as a Judicial Officer.

H. KIAUTUMA,
Chief Executive Member,
Pawi–Lakher Regional Council, Saiha

The 28th July 1959

No. RCJ 1/59/174 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi–Lakher Regional Council, which received the approval of the Governor of Assam, is hereby published for general information :

THE PAWI LAKHER REGIONAL COUNCIL
ACT NO II OF 1959
THE PAWI-LAKHER AUTONOMOUS REGION
(ADMINISTRATION OF JUSTICE) RULES
(SECOND AMENDMENT) ACT, 1959

**An
Act**

to amend the Pawi-Lakher Autonomous Region [Administration of Justice] Rules, 1954.

Preamble : Whereas it is expedient to amend further the Pawi-Lakher Autonomous Region [Administration of Justice] Rules, 1954, hereinafter referred to as the Principal Rules.

It is enacted in the Tenth Year of the Republic of India, as follows :

1. Short title, extent and commencement :

[1] This Act may be called the Pawi-Lakher Autonomous Region [Administration of Justice] Rules [Second Amendment] Act, 1959.

[2] It shall have the like extent as the Principal Rules;

[3] It shall come into force at once.

2. Amendment to clause II (1) : In the third line of clause II [1] of the Principal Rules, Rs. 60 shall be substituted for "Rs. 50."

H. KIAUTUMA,
Chief Executive Member,
Pawi-Lakher Regional Council, Saiha

The 24th September, 1954.

No. TAD/R/67/53 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi–Lakher Regional Council, which received the assent of the Governor of Assam, is hereby published for general information :

PAWI–LAKHER ACT NO OF 1954
THE PAWI–LAKHER AUTONOMOUS REGION
(VILLAGE COUNCILS) ACT, 1954
(Passed by the Pawi–Lakher Regional Council)
Received the assent of the Governor of Assam on 24th
September 1954)
(Published in the Assam Gazette, dated 6th October, 1954)

**An
Act**

to provide for the establishment of Village Councils etc. and for other matters relating to Administration.

Preamble : Whereas it is expedient to provide for the establishment of Village Councils and their powers, and for other matters relating to Village Administration, including Village Police and Public Health and Sanitation;

It is hereby enacted as follows :

CHAPTER 1 – PRELIMINARY

1. Short title, extent and commencement :

- [1] This Act may be called the Pawi–Lakher Autonomous Region [Village Councils] Act, 1954.
- [2] It extends to the Pawi–Lakher Region.
- [3] It shall come into force at once.

- 2. Definitions :** In this Act, except where it is expressly otherwise provided or the context otherwise requires –
- (1) “District” means the Autonomous Lushai Hills District;
 - (2) “Deputy Commissioner” means the Deputy Commissioner of the Lushai Hills District;
 - (3) “Executive Committee” means the Executive Committee of the Pawi–Lakher Regional Council;
 - (4) “Kiran” means a village writer;
 - (5) “Region” means the Pawi–Lakher Autonomous Region of the Lushai Hills District;
 - (6) “Regional Council” means the Pawi–Lakher Regional Council;
 - (7) “Schedule tribe or tribes” means such tribe or tribes as are specified by the President of India under Article 342 (1) of the Constitution of India as modified by law made by Parliament from time to time in so far as the specification pertains to the Autonomous Districts of Assam;
 - (8) “Subdivisional Officer” means the Subdivisional Officer Lungleh;
 - (9) “Tlangau” or “Tlaaw” means a village crier;
 - (10) “Tlangriah” or “Vatlalal” means a work done collectively by the villagers for common good;
 - (11) “Tuikhur” or “Tikhawr” or “Tikho” means any place wherein water puppy is obtained;
 - (12) “Tulo” or “Tohi” means a subsidiary shifting Jhum cultivation;

- (13) “Village Council” means a Village Council constituted under the provisions of the Pawi–Lakher Autonomous Region (Administration of Justice) Rules, 1954.
- (14) “Voter” means a person who is entitled to vote at any election to the Pawi–Lakher Regional Council under the Pawi–Lakher Autonomous Region {Constitution of Regional Council} Rules, 1972.

CHAPTER II - ESTABLISHMENT OF VILLAGE COUNCIL

- 3. Constitutions of Village Council :** (1) There shall be a Village Council in each village constituted in accordance with the provisions of the Pawi–Lakher Autonomous Region (Administration of Justice) Rules, 1954 :

Provided that “Khawper” or sub-villages containing less than 20 houses shall not be entitled to have a separate Village Council.

Number of Village Council Member : () A Village Council shall be composed of members according to the number of houses it contains as specified below :

For Villages below 30 houses	...	3 Members
For Villages between 31-60 houses	...	5 „
For Villages between 61-100 houses	...	6 „
For Villages between 101-150 houses	...	7 „
For Villages between 151-200 houses	...	8 „
For Villages between 201-and above	...	9 „

- 4. Qualification of Member :** A person shall be disqualified for being elected as, and for being a member of the Village Council if –

- (a) he is not a member of a Schedule Tribe
- (b) he has not attained the age of 25 years,
- (c) he is not a voter where he seeks election,
- (d) he is a member of any other Village Council,
- (e) he is of unsound mind and stands so declared by a competent court or authority.
- (f) whether before or after commencement of this Act, he has been convicted of an offence under the Pawi–Lakher Autonomous Region (Administration of Justice) Rules, 1954 or under other law for the time being in force in India, unless a period of three other law for the time being in force in India, unless a period of three year has alapsed since his conviction, and it imprisoned, from prison.

- 5. Duration of Village Council :** Every Village Council, unless sooner dissolved, shall continue for three years from the date appointed for its first meeting in accordance with the provisions of the Pawi–Lakher Autonomous Region (Administration of Justice) Rules, 1954.

Nomination and election of members : One third or nearest one third of the specified number of members shall be nominated by the Regional Council and two-thirds or nearest two-thirds shall be elected by the adult members of the Village concerned.

- 7. Executive :** There shall be a President, Vice President and a Kiran in each Village Council, and the executive functions of the council shall be vested in these three.

- (1) The President and the Vice President shall be elected by the members of the Village Council from amongst themselves by a majority of votes.
- (2) The Regional Council on the advice of the President of the Village Council concerned, shall appoint or dismiss a Kiran, but the 'Kiran' shall not be a member of the Village Council.
- (3) Every council member and Kiran may at any time by writing under his hand submit his resignation through the President to the Executive Committee. The Executive Committee, in consultation with the Regional Council Members, shall arrange to elect or appoint a substitute as the case may be.
- (4) The President may at any time by writing under his hand submit his resignation to the Executive Committee and until the Executive Committee accept the resignation he shall continue to work as such.
- (5) The Vice President may at any time by writing under his hand submit his resignation to the President who shall accept it and bring it to the notice of the Village Council in a meeting specially convened for the purpose. In such a meeting election shall be held to fill such vacancy and the report of the proceedings shall, as soon as possible, be submitted to the Executive Committee.
- (6) If at any time, for any reason, there is vacancy of a seat in the Village Council, it shall be reported forthwith to the Executive Committee by the President or the Vice President as the case may be.

- (7) If, for any reason, the office of the President becomes vacant, the Executive Committee shall cause the vacancy to be filled as soon as possible. In the meantime the duties of the office shall be performed by the Vice President.

8. Functions of Village Council :

- (1) The Village Council shall allot a particular region or area within the boundaries of each village for jhums each particular year, and the distribution of the jhums plots shall be done in accordance with the laws framed by the Regional Council under paragraph 3 (1) (d) of the Sixth Schedule to the Constitution of India.
- (2) The Village Council shall have powers to enforce “Tlangrian” or “Vatlarai” in the interest of the public whenever occasion so demands.

9. Regulation of “Tlangrian” or “Vatlarai” :

- (1) The Village Council shall have power to exempt any person or persons from “Tlangrian” or “Vatla Rai” at its own discretion. The reason for the exemption shall be recorded in writing. No person who is 60 years of age or above shall be compelled to do any Tlangrian or Vatla Rai.
- (2) Any person below 15 years shall not be allowed to represent in the Tlangrian or Vatla Rai.

10. Sanitation : Each Village Council shall be responsible for the sanitation of the village. A Sanitation Committee shall be appointed by the Village Council if necessary.

CHAPTER III – CONDUCT OF BUSINESS

- 11. President and meeting of the Village Council :** The President of the Village Council shall preside over all the meetings of the said council. He shall summon the meetings of the Village Council whenever necessity arises and if or when two-third of the members in writing request him to do so.
- 12. Voting in the meetings of the Village Council :**
 - (1) All proposals and questions shall be decided in the meeting by a majority of votes.
 - (2) The President of the Council or any person acting in this behalf shall not vote at the first instance but shall have and shall exercise a casting vote in the case of equality of votes.
- 13. Preservation of order in meeting of Village Council :** The President shall preserve order and have all powers necessary for the purpose of enforcing his decisions during the meeting as follows :
 - (1) He may direct any member whose conduct is, in his opinion disorderly, to withdraw immediately from the days meeting. The member ordered in this manner shall comply with the order at once.
 - (2) If any member is ordered to withdraw from three consecutive meetings of the council, his conduct shall in writing signed by the President be reported to the Executive Committee by the Kiran.
- 14. Village Council fund :** There shall be formed for every Village Council a fund to be called “Village Council Fund” Any collection authorised by law other than Regional

Council revenue and taxes made in a village for the good of the people shall be paid into the said fund. The President shall be the Treasurer of the Fund and the list of the collections shall be kept by the Kiran. This account shall be open for inspection by any subscriber to the collection.

15. Responsibility of President for compliance orders, etc :

- (1) The President shall cause notices and instructions for prevention of danger such as outbreak of fire, epidemic, etc, in the village to be proclaimed by engaging “Tlangau” or “Tlaaw” and whenever notices, orders, circulars or letters are received for redistribution from the Regional Council to pass on the other villages, he shall forthwith cause it to be sent through the “Kiran.”
- (2) The President shall be responsible for the compliance of all orders and notifications issued either by the Regional Council or the Subdivisional Officer. Lungleh or the Deputy Commissioner, Lushai Hills through the office of the Regional Council.

The President shall cause all such orders and notifications to be read out by the Kiran in the meeting of the Village Council and if it is necessary to be brought to the knowledge of the public, it shall be given over to the kiran for publication by the Tlangau or Tlaaw.

- (4) The President shall be responsible for the proper and upto date maintenance of all books and records kept by the Kiran.

16. Vice-President : The Vice President shall have position next to the President and in the absence of the President he shall perform the duties of that office and during such period the powers of the President shall be vested in him.

17. The Kiran shall be responsible for all the duties as enumerated below :

- (a) He shall record all the proceedings of the Village Council as well as the court and such record shall be signed by the President. He shall publish all orders, notifications and records as may be necessary and such orders, notifications and records shall be signed by the President.
- (b) On receipt of any orders, notices, circulars or letters from the Regional Council or from the Deputy Commissioner, Lushai Hills or his Assistant or Subdivisional Officer, Lungleh for service or for onwards transmission to other villages, the Kiran 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 directions.
- (c) He shall keep all the books and records of the council and of the court. He shall send all such books and records to the Executive Committee as may be required by it, with his own signature and of the President.
- (d) All books and records shall be kept ready to be examined at any time by the officer of the Regional Council or any person so appointed in this behalf.

18. Circle Officer : There shall be two Circle Inspectors and four Assistants within the Region and their respective jurisdiction shall be determined by the Executive Committee. The duties of these Inspectors and Assistants shall be to inspect the works of Village Councils within their respective jurisdiction and to give instructions whenever

considered necessary for the smooth running of the Village Councils. They shall submit their diaries monthly and monthly reports to the Executive Committee on their respective circles touching any important subjects, point or occurrence. They shall also be responsible for the immediate report of any important incidents to the Executive Committee.

Appointment of Circle Inspectors and Assistants shall be made by the Regional Council and their pay and allowances shall be determined by the Executive Committee.

19. Village Council seat : A Village Council shall not shift the seat of a village to a new site without the previous approval of the Regional Council.

20. Tlangau :

- (1) Normally there shall be only one "Tlangau" or "Tlaaw" for each Village Council. If for any reason more than one "Tlangau" or "Tlaaw" is found necessary prior approval of the Regional Council for such appointment shall be obtained.
- (2) To appoint "Tlangau" or "Tlaaw" for a Village Council advertisement to this effect shall be made by the President fixing a date for selection, The Village Council in its full sitting shall make the appointment of "Tlangau," or "Tlaaw" from amongst the applicants. The Village Council may dismiss the "Tlangau" or "Tlaaw" but such cases shall be reported to the Executive Committee.
- (3) The duties of "Tlangau" or "Tlaaw" shall be as follows :

- (i) He shall bring to the notice of the public all orders and notifications the Village Council may direct.
- (ii) He shall summon all parties and other persons required by the Village Council or Court to attend its meetings.
- (iii) The Kiran of the Village Council may also direct the “Tlangau” or “Tlaaw” to bring to the notice of the public any other matter not necessarily connected with the affairs of the Village Council.
- (iv) If any emergency occurs requiring the gathering of the public in the interests of the village, any member of the village, may without the previous approval of the President direct the “Tlangau” or “Tlaaw” to summon all the villagers.
- (v) The “Tlangau” or “Tlaaw” shall carry notice to all the members of the Village Council for all meetings of the Village Council summoned by the President.

- 21. Remuneration of members etc :** The previlages and remunerations, if any, of all members including Kiran and Tlangau of the Village Council shall be regulated by the Regional Council as it deems proper.
- 22. Kiran and Tlangau :** The Kiran and Tlangau shall also attend the Village Council meetings, but will have no votes.
- 23. Power to make rules :** Subject to the previous approval of the Governor the Regional Council may make rules for carrying out any of the provisions of this Act.

D. DAS
Secy. to the Govt. of Assam Tribal Areas Deptt.

The 1st March, 1958

No. RCB 28/57/29 : In exercise of the powers conferred by rule 17 of the Pawi–Lakher Regional Council (Procedure and Conduct of Business) Rules, 1952, as ammended by the Pawi–Lakher Autonomous Region (Procedure and Conduct of Business) (Amendment) Act, 1954, the Pawi–Lakher Regional Council, is pleased to make the following ammendment to the Pawi–Lakher Autonomous Region (Village Councils) Act, 1954, hereinafter referred to as the ‘Principal Act’ :

1. Section 18 of the Principal Act shall be deleted :

H. KIAUTUMA,
Chief Executive Member,
Pawi–Lakher Regional Council, Saiha

No. TAD/R/67/53 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi–Lakher Regional Council, which received the assent of the Governor of Assam, is hereby published for general information :

Act No 7 of 1961

PAWI–LAKHER AUTONOMOUS REGION
VILLAGE COUNCILS (AMENDMENT). ACT, 1961
(Passed by the Pawi–Lakher Regional Council)
Received the assent of the Governor of Assam on
11 September 1961)

(Published in the Assam Gazette,
dated 27th September, 1961)

An
Act
Amendment the Pawi-Lakher Autonomous Councils Act
1954

Preamble : Whereas it is expedient to amend the Pawi-Lakher Autonomous Region (Village Councils) Act, 1954 hereinafter referred to as the Principal Act.

It is hereby enacted in the twelfth year of the Republic of India, as follows :

1. **Short title, extent and commencement :**
 - (1) This Act may be called the Pawi-Lakher Autonomous Region (Village Councils) [Amendment] Act, 1961.
 - (2) It shall have the like extent as the Principal Act;
 - (3) It shall come into force at once.
2. **Substitute the word 'Secretary' for 'Kiran' :** Wherever it occurs in the Principal Act.
3. Substitute the word 'five' for 'three' occurring in the second line of section 5 of the Principal Act.
4. Delete sub-section (11) and (12) of section of the Principal Act.
5. Substitute the word 'Collective works' for the words 'Tlangrian or Vatlarai,' wherever they occur in the Principal Act.

6. For Sub of section of the Principal the shall be substituted, namely :

“(2) A Village Council shall be composed of three members, one of whom shall be nominated by the Regional Council and the rest elected by the adult members of the Village in accordance with the Pawi–Lakher Autonomous Region (Election to Village Council) Rules, 1955.”

7. After Sub-Section (2) of Section (3) of the Principal at add the following as sub-Section (3) namely :

“(7) Quorum : The Quorum to constitute a meeting of the Village Council shall be two.”

8. After section 4 of the Principal Act, the following new section 4 A shall be inserted, namely :

4 A Removal of members :

- (1) Any member of the Village Council who, due to serious illness cannot attend the meetings of the Village Council and is not likely to recover from his illness for whole term of that Village Council shall be declared disqualified, and seat shall, on receipt of such report from the President of the Village Council, be declared vacant.
- (2) Any member of the Village Council who, due to serious disregard of his duty as a member, does not attend the meetings of that Council for a sufficient length of time, may be removed from his membership. Such decision for removal of a member shall be signed by all other members in its full sitting of that Village Council and shall be forwarded to the Executive Committee for approval. On Such decision be-

ing approved his seat shall be declared as vacant.

- (3) The Executive Committee shall have the power to disallow any member to attend the meeting of the Village Council for a certain period or for the whole term of the Village Council as necessity demands if he is found to be undersirable for wilfull disobedience or for any other reason considered to be sufficient.
9. For section 6 of the Principal Act, the following shall be substituted, namely :

“6 Power of Regional Council with regard to the system of village Administration :

 - (1) Notwithstanding anything contained in this Act, the Regional Council may introduce a new system of Village Administration in such area or areas thought necessary when such change of system of Village Administration is considered indispensable.
 - (2) Such change in system of Village Administration shall forthwith be communicated to the Executive Committee.”
10. After section 6 of the Principal Act, the following new section shall be inserted namely :

“6 (a) Tenure of Membership : A member nominated to a Village Council under the provision of sub-section (2) of section 3 shall hold office during the pleasure of the Executive Committee.”
11. For section 7 of the Principal Act, the following shall be substituted namely :

“7 Executive Functions :

- (1) There shall be a President in each Village Council who shall be elected by the member of the Village Council from amongst themselves by a majority of votes. He shall with the assistance of the Secretary of the Village Councils, discharge all the executive functions of the Village Council.
- (2) The Executive Committee shall, on the advise of the President, appoint or dismiss the Secretary of the Village Council. The Secretary shall not be a member of the Village Council.
- (3) Every member and the Secretary of the Village Council may, at any time by writing under his hand, submit his resignation through the President to the Executive Committee. The Executive Committee shall arrange to elect or appoint as the case may be, substitute as soon as possible.
- (4) The President may, at any time by writing under his hand, submit his resignation to the Executive Committee, and until the Executive Committee accept the resignation or until a new President is elected, he shall continue to discharge the duties of the President
- (5) If for any reason the office of the President of the Village Council becomes vacant, the secretary shall at once report the matter to the Executive Committee who shall take immediate steps for election of a new President.

Provided that if the vacancy in the post of a President causes a vacancy of the membership in the Village Council, the Executive Committee shall take steps to fill up the vacancy of the membership first and then to elect President;

Provided further that pending the election of the President after the election or nomination of the member as the case may be the members shall elect an Acting President from amongst themselves who shall hold office till the President as elected and assumes his office.

12. Delete section 16 and substitute the following for it :
 “16 Village Rules :
 (1) Each Village Council may frame its Village rules for the administration of the village in accordance with the need of the village.
 (2) No rules shall be enforced in a village by the Village Council without the prior approval of the Executive Committee.”
13. Substitute the word “determined” for the word “regulated” occurring in section 21 of the Principal Act.
14. After section 23 of the Principal Act, the following new section 24, 25 and 26 shall be inserted, namely.
 “24 Dissolution of the Village Council :
 (1) Subject to the provisions of sub rule (7) of rule 4 of the Pawi–Lakher Autonomous Region (Administration of Justice) Rules, 1954, the Executive Committee may, by public notification, order the dissolution of a Village Council if in its opinion, the Village Council is not able to carry on the Village administration or is acting in the manner prejudicial to the interest of the State or for any other reason considered sufficient for such dissolution and issue order for holding fresh election of the Village Council.

- (2) The Executive Committee may appoint any person or persons to assume charge of the Village administration and also to act as the Village Court during the period intervening between the dissolution of the Village Council and the completion of the election under the provision of sub-section (1). The intervening period, however, may not exceed 90 (ninety) days.
- (3) When any Village Council has been dissolved under the provision of sub-section (1) the Executive Committee shall lay before the Regional Council at its first meeting after such dissolution, all the papers connected therewith and the matters shall be open for discussion by the members of the Regional Council.
- (4) So long as the Village Council acts as the Village Court under the law, the Village Council so dissolved shall cease forthwith to function as the Village Court.

25 Allotment of house sites in the villages : No person shall be allowed to construct a house for any purpose except jhum houses and sheds without the written permission of the Village Council.

26 Boundaries and Jurisdiction of Villages :

- (1) In fixing the boundaries of the village, the Executive Committee may appoint a boundary commission and the reports and finding of the commission thus appointed shall be generally accepted.
- (2) No person shall be allowed to make jhum outside the jurisdiction of that village in which he

resides without the written permission of the Executive Committee.

- (3) Whenever necessity arises to change the boundary of the villages, the Executive Committee shall take the matter in its hand and its decision shall be final and binding.

R.J. Rymbai,
Dy. Secy. to the Govt. of Assam
Tribal Areas and Welfare of Backward
Classes Department, Shillong

The 18th February, 1955

No. RCF. 13/55/84 : In exercise of the powers conferred by Section 23 of the Pawi–Lakher Autonomous Region (Village Council) Act, 1954, the Regional Council of the Pawi–Lakher Autonomous Region, with the previous approval of the Governor of Assam, is pleased to make the following Rules :

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement :

- (1) These Rules may be called the Pawi–Lakher Regional Council (Election to Village Councils) Rules, 1955.
- (2) They extend to the whole or the Pawi–Lakher Autonomous Region.
- (3) They shall come into force at once.

2. **Definition :** In this Rules, except where it is expressly otherwise provided or the context otherwise requires :
- (1) “Region” means the Pawi–Lakher Autonomous Region in the Mizo District;
 - (2) “Regional Council means the Pawi–Lakher Regional Council;
 - (3) “Executive Committee” means the Executive Committee of the Pawi–Lakher Regional Council.
 - (4) “Village” means a village or villages declared to form a Village Council.
 - (5) “Election” means an election to fill a seat or seats in the Village Council;
 - (6) “Constituency” means so much of the areas as is included within the jurisdiction of a Village Council;
 - (7) “Elector” in relation to a constituency means person whose name for the time being entered in the electoral roll;
 - (8) “Electoral roll” means the electoral roll of a constituency of the Pawi–Lakher Regional Council as may be amended by the Executive Committee which shall include the names of all persons appearing to be entitled to vote for elections to the Village Council;
 - (9) “Court” means the courts, except the Village Courts constituted under the provisions of the Pawi–Lakher Autonomous Region (Administration of Justice) Rules, 1954;
 - (10) “Returning Officer” means any officer appointed by the Executive Committee for conducting the elections to a constituency;

- (11) “Presiding Officer” means the officer appointed by the Executive Committee for conducting the election in a Polling Station and may include the Returning Officer if the Executive Committee directs that the functions of both Returning Officer and Presiding Officer shall be performed by the same person.

3. Holding of General Elections :

- (1) All elections to the Village Council shall be held under the provisions of these Rules.
- (2) The names of the Constituencies with the number of members fixed for each Council shall be as shown in Appendix I to these Rules and the Regional Council may at any time after revise or modify the provisions of Appendix I if necessary arises.
- (3) There shall be an electoral roll every constituency.
- (4) The electoral roll of a constituency of the Pawi–Lakher Regional Council as may be amended by the Executive Committee shall be the electoral roll for election to a Village Council.

4. Appointment of Officers : The Executive Committee shall appoint a Returning Officer or officer and other officers for the elections.

5. Date of Election : The Executive Committee shall by notification call upon the constituencies concerned to elect the number of members to be returned and shall also appoint the date or dates for such election in each constituency simultaneously or consecutively, according to convenience. The Returning Officer may, however, cause an election to be held on such date before or after the

date appointed in respect of any constituency as a special case, when the appointed date cannot be observed due to the same unforeseen inconvenience, provided that the change of date shall be notified to the constituency concerned by the Returning Officer at least seven days before the date so fixed for election.

6. **Publication of the names of Members of Village Council :** The names of members elected and those nominated for various Village Councils shall be published in the constituency as soon as may be after the election is over.
7. **Filling of vacancies :**
 - (1) A seat or seats and a casual vacancies in the Village Council or Councils in respect of a nominated seat or seats shall be filled by the Executive Committee by the nomination.
 - (2) A seat or seats and a casual vacancy or vacancies in the Village Council or Councils in respect of an elected seat or seats shall be filled by bye election.
8. **Disqualified Members :** The seat of any member found to be disqualified after his election, may be declared vacant by the Executive Committee and filled under provisions of these Rules.
9. **Returning Officer :** It shall be the general duty of the Returning Officer at any Village Council election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided under these Rules and his decisions shall be final.

10. **Power of the Executive Committee :** The Executive Committee may prescribe such forms as may be necessary for the conduct of the elections.

CHAPTER III

CANDIDATES

11. **Qualification of candidates for election and scrutiny of candidature :** Any person whose name is included in the Electoral Roll of the Constituency and who is not otherwise disqualified under section 4 of the Pawi-Lakher Autonomous Region (Village Council) Act, 1954 may after himself as a candidate for election to a Village Council and shall inform the Returning Officer, in writing along with a fee of Rs. 5/- of his intention to do so by a particular date to be notified in this behalf by the Returning Officer. The scrutiny of candidature shall be taken up by the Returning Officer in the respective constituency on the date and time to be notified by him.
12. **Withdrawal of Candidature :** The Returning Officer may accept the withdrawal of any candidate before the scrutiny of the candidate takes place and refund the security deposit as hereinafter provided.
13. **Security deposit refund or forfeiture :** A candidate shall furnish a security deposit of Rs. 5/- to the Returning Officer along with his application for candidature which will be refunded in the event of the withdrawal of his candidature or at the earliest date after conclusion of the election, provided that the deposit of a candidate, who is not elected and whole number of votes polled does not exceed one-sixth of the total number of votes actually

casting their votes, shall be forfeited to the Regional Council.

- 14. Election by symbol :** Each candidate shall select a symbol out of those prescribed in Appendix II to represent him in the election and the election shall be conducted by symbol. The Returning Officer shall decide by lot to which of these candidates the symbol will be assigned. The decision of the Returning Officer in assigning any symbol to a candidate under these rules shall be final.
- 15. Preparation and publication of the list of valid candidates :** As soon as may be, after the scrutiny of candidature, if the number of valid candidate exceeds that of the seats to be filled, the Returning Officer shall compile a list showing the names of the valid candidates and the symbols assigned to each candidates and publish in the manner he thinks fit and a poll shall be taken in the manner prescribed in these Rules.
- 16. When number of valid candidates is equal to number of seats – (1)** If the number of valid candidates in a constituency is equal to the number of elected seats to be filled, the Returning Officer shall forthwith declare as such candidates to be elected to fill those seats in the Village Council.

When number of valid candidates is less than number of seats – (2) If the number of valid candidates is less than the number of seats to be filled, the Returning Officer shall declare all such candidates to be elected to fill as many of those seats and the Executive Committee shall by notification call upon the constituency to elect a person or persons to fill the remaining seat or seats, as the

case may be, within such time as may be specified in the notification.

CHAPTER VI

VOTING

17. **Arrangement of voting :** There shall be only one Polling Station for each constituency. The Returning Officer or any officer appointed by him shall make all arrangements for the conduct of the election.
18. **Election agent :** One election agent of a candidate, appointed in writing and submitted to the Returning Officer shall be admissible into the polling booth in the case of the candidate being himself from the polling station.
19. **No vote by proxy :** Every voter shall record his vote at the polling booth by him/herself only and no vote by proxy or otherwise shall be accepted whatsoever.
20. **Hours of poll :** The Returning Officer shall fix the hours for polling votes.
21. **Ballot Boxes :** Just before polling is started, the empty ballot boxes with their respective symbols and names of the candidates fixed on them, shall be shown to the persons present at the polling station. The ballot boxes will then be closed by pasting with an adhesive and wax sealing device.
22. **Ballot paper :** Each voter shall be given as many ballot papers as there are elected seats. The Executive Committee may direct that before the ballot papers are delivered to an elector at a polling station, such official marks as may be specified in this behalf, shall be given on the ballot

papers and the official marks so specified shall be kept secret.

- 23. Record of votes :** Each voter shall record his vote/votes by dropping only one ballot paper in each box containing the symbol assigned to the candidate/candidates of his choice.

Provided that if for any reason, a voter does not want to use his ballot paper/papers, the voter concerned must return the same which shall be cancelled and marked “refused” on the counterfoil/counterfoils :

Provided further that if an elector gives more than one vote to any one candidate then at the time of counting of votes, not more than one of the votes given by him to such candidate, shall be taken into account and all other votes given by him to such candidates shall be rejected as void.

- 24. Helping a voter :** If owing to blindness or other infirmity, an elector is unable to read the symbol on the ballot box or is physically incapable of putting the ballot paper into the ballot box, the Presiding Officer of the polling station shall enter the polling compartment with such elector, ascertain from the elector the candidate or candidates he desires to vote for and shall put the ballot paper or papers in the ballot box or boxes of such candidate or candidates in accordance with the wishes of such elector. The Presiding Officer shall have this done with as much secrecy as is possible and shall keep a record of such instances.
- 25. Spoilt ballot paper :** If the ballot paper happens to be spoilt before it is used due to reason, another ballot paper

may be obtained surrendering the spoilt ballot paper which shall be cancelled with its counterfoil.

26. **Suspension of voting :** If due to any reason beyond control, the polling of votes has to be stopped resulting in the dispersion of the voters and the candidates and the Election Officers within the hours prescribed and before all the votes polled, the polling shall be suspended and ballot boxes closed by pasting with an adhesive and wax sealing device till they are reopened when polling is decided continued the senior most Election Officer present.
27. **Closing Ballot Boxes after poll :** As soon as practicable after the closure of the poll; the Presiding Officer shall, in the presence of candidates or their agents who may be present, close the ballot boxes and seal them and shall return the ballot boxes in safe custody until the commencement of the counting of votes.

CHAPTER V

COUNTING OF VOTES

28. **Counting of votes :** Counting of votes shall be taken up as soon as possible after the close of the poll and the Returning Officer may appoint any person or persons as may be necessary to assist him in the counting of votes.
29. **Authorised persons at the counting of votes :** No person shall be allowed to be present at the counting of votes except the candidate or his election agent where the candidate is absent and the Returning Officer and such persons as the Returning Officer may have appointed to assist him in the counting of votes.

30. **Suspension of counting of votes :** If due to any person beyond control, the counting of votes has to be delayed for any period resulting in the dispersion of the candidates and the election staff from the booth or the place appointed in its stead, the ballot boxes shall be closed by pasting an adhesive and wax sealing device. The boxes shall be re-opened at the next counting of votes held.
31. **Disposal of complaint :** The result of the election shall be announced by the Returning Officer as soon as possible after the counting of votes is finished. Any protest against the result shall be filed, in writing to the Returning Officer within three hours of the announcement of the result. The Returning Officer shall explain the circumstances connected with the complaint and failing to satisfy, the party may file an election petition.
32. **Equality of votes :** In the case of equality of votes, membership shall be decided by drawing of lots.
33. **Publication of election result :** The list of the candidates elected shall be published in the constituency.

CHAPTER VI

ELECTION PETITION

34. **Submission of Election petition :** A petition challenging the validity of any election may be submitted by a candidate and no one else to the Executive Committee or any officer appointed by it for the purpose, within 30 days of the declaration of the election results by the Returning Officer of the Constituency concerned, attaching to the petition, an official receipt of the Regional Council showing that a deposit shall be of Rs. 30/- as security for the

cost of hearing of the petition has been made. Such deposit shall be forfeited to the Regional Council in case the petition fails. If, however, the petition succeeds, the deposit shall be refunded.

- 35. Withdrawal of Election Petition :** Unless such petition be withdrawn within a fortnight, the security deposit shall be forfeited to the Regional Council.
- 36. Disposal of Election Petition :** The Executive Committee shall constitute an election tribunal to the disposal of all election petitions. The tribunal shall report its findings and decisions to the executive committee whereupon the executive committee shall notify the decision of the tribunal.

CHAPTER VII

CORRUPT PRACTICES

37. Corrupt Practices :

- (1) The following shall be deemed to be corrupt practices for the purpose of election to the Village Council :-
 (i) Bribery (ii) undue influence (iii) Personation
 (iv) Removal of ballot paper (v) Publication of false statement (vi) Use of or appeal to religious and national symbols as defined in Chapter IX, Part IV of the Assam Autonomous District (Constitution of District Councils) Rules, 1951.
- (2) The corrupt practices enumerated in sub-rule (1) will entitle disqualification for a voter or candidate or his agent as the case may be.

CHAPTER VIII
ELECTORAL OFFENCE

38. **Public Meeting :** No person shall convene, hold or participate in any public meeting or canvas for self or for any candidate on the date on which poll is taken for election to Village Councils.
39. **Maintenance of Secrecy :** Every Officer, clerk or agent or other person who performs any duty in connection with the recording or counting of votes at an election, shall maintain the Secrecy of the voting.
40. **Prohibition of interference while polling :** No person shall interfere in any way with the work of the Returning Officer or other Officers employed for the conduct of elections to Village Councils.
41. **Contravention of any provisions :** Any person who contravenes any of the provisions of Rules 38 to 40 shall be punishable with fine which may extend to one hundred rupees.

CHAPTER IX
POWER OF RETURNING OFFICERS

42. No civil court shall have jurisdiction to question the legality of any action taken or of any decision given by the Returning Officer or by any other person appointed under these Rules in connection with an election.

In authentication whereof, I give my signature this 18th day of February, 1955.

HENGMANGA
Chairman
Pawi-Lakher Regional Council, Lungleh.

APPENDIX I

List of Villages to have Village Council within the Pawi-Lakher Regional Council, Under Rule 3 –

Sl. No.	Name of Villages	No. of Houses	No.of member elected	No.of member nominated	Total
---------	------------------	---------------	----------------------	------------------------	-------

CONSTITUENCY NO. I

1.	Sangau, Thalthang	124	5	2	7
2.	Pangkhoa	68	4	2	6
3.	Cheural	76	4	2	6
4.	Lungtian	103	5	2	7
5.	Vartek	43	3	2	5
6.	Fungkah	41	3	2	5
7.	Rawlbuk	20	2	1	3

CONSTITUENCY NO. II

8.	Vawmbuk, Tiallung	84	4	2	6
9.	Archhuang, Pangrang	35	3	2	5
10.	Lungpher	67	4	2	6
11.	Lungzarhtum	49	3	2	5
12.	Bualpui	77	4	2	6
13.	Chhuarlung	36	3	2	5
14.	Niawhtlang	48	3	2	5
15.	Lungbun	25	2	1	3

CONSTITUENCY NO. III

16.	Lawngtlai	81	4	2	6
17.	Chawnhu	41	3	2	5
18.	Saikah	24	2	1	3

19.	Mampui, Chawngtlang, Khamchungbuk	73	4	2	6
20.	Paithar, Tuipui	43	3	2	5
21.	Rulkual, Saizawh	33	3	2	5
22.	Thingah	59	3	2	5

CONSTITUENCY NO. IV

23.	M. Kawnpui & Sub-villages	44	3	2	5
24.	Bungtlang	23	2	1	3
25.	Tuithumhnar, Ngengpuitlang	35	8	2	5
26.	Hmawngbu, Zochachhuah	45	3	2	5
27.	Diltlang	10	2	1	3
28.	Dilkhan & Sub Villages	12	2	1	3
29.	Saikhawthlir and Sub Villages	22	2	1	3
30.	Mualbu (Lingsaia) and Sub Villages	42	3	2	5
31.	Buhvum	38	3	2	5

CONSTITUENCY NO. V

32.	Sisih and Sub Villages	129	5	2	7
33.	Serhmun and Sub Villages	71	4	2	6
34.	Lokhisuri and Sub Villages	108	5	2	7
35.	Lokisuritlang	24	2	1	3
36.	Borakovakhali, Chhotakovakhali, Udaisuri	100	4	2	6

37.	Uiphum, Lilamkhar, Bungkawn	32	3	2	5
-----	--------------------------------	----	---	---	---

CONSTITUENCY NO. VI

38.	Saizawh, Saizawhchhuah, Chawngte, Songrasuri	84	4	2	6
39.	Ngarumtlang, Ngharum, Tuikuk, Silsuri, Basesora	48	3	2	5
40.	Serlui, Kawrthindeng	40	3	2	5
41.	Sertlang, Geraguluksora, Gulsingbaksora, Jerulsuri, Ukdasuri	75	4	2	6
42.	Kangmun	28	2	1	3
43.	Bekabekia, Borapansury Ukulsuri	83	4	2	6
44.	Sakhai, Chhotapansuri, Songrasuri	83	4	2	6
45.	Gurualambosara	63	4	2	6

CONSTITUENCY NO. VII

46.	Tuipang	84	4	2	6
47.	Serkawr	99	4	2	6
48.	Latawh	53	3	2	5
49.	Lawngban, Lawngdawh	80	4	2	6
50.	Tongkolong and Sub Villages	72	4	2	6
51.	Kaisih	40	3	2	5

CONSTITUENCY NO. VIII

52.	Zawngling	114	5	2	7
53.	Khuhlu	27	2	1	3

54.	Khopai	27	2	1	3
55.	Laki	40	3	2	5
56.	Lungpuk	27	2	1	3
57.	Vahai and Sub Villages	63	4	2	6
58.	Mawhre	22	2	1	3
59.	Chapui	71	4	2	6
60.	Tuisih	64	4	2	6
61.	Chakhang	56	4	2	6
62.	Siata	33	3	2	5
63.	Ainak	30	2	1	3

CONSTITUENCY NO. IX

64.	Phalhrang	40	3	2	5
65.	Rawmibawk, Riasikah	62	4	2	6
66.	Tuisumpui, Saihatlang	53	3	2	5
67.	Saiha, Thingsen	109	5	2	7
68.	Maubawk	121	5	2	7
69.	Theiva	41	3	2	5
70.	Theiri	28	2	1	3

APPENDIX II

List of Symbols

Under Rule 14

(1) Pumpkin	(2) Katchu
(3) Maize	(4) Millet
(5) Pot	(6) Doa
(7) Hoc	(8) Mug
(9) Umbrella	(10) Small bakest full of paddy
(11) Feathers	(12) Smoking pipe
(13) Necklace	(14) Spoon
(15) Halt	

The 6th November, 1956

No. TAD/R/65/54 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India. The following Regulation of the Pawi-Lakher Regional Council, which received the assent of the Governor of Assam, is hereby published for general information –

REGULATION NO. II OF 1956

**THE PAWI-LAKHER REGION (JHUM)
REGULATION 1956**

(Passed by the Pawi-Lakher Regional Council)
(Received the assent of the Governor of Assam on the 31st
November 1956)
(Published in the Assam Gazette dated
14th November 1956)

**A
Regulation**

to provide for the Regulation and control of the practice of jhum or other forms of shifting cultivation :

Preamble : Whereas it is expedient to provide for the regulation and control of the practice of jhum or other forms of shifting cultivation within the Pawi-Lakher Autonomous Region;

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

1. **Short title, extend and commencement :**
 1. This Regulation may be called the Pawi Lakher (Jhum Regulation, 1956)

2. It extends to the whole of the Pawi-Lakher Autonomous Region;
 3. It shall come into force at once
2. **Definition :** In this Regulation, unless there is anything repugnant or the context otherwise requires –
 - (a) “Executive Committee” means the Executive Committee of the Pawi-Lakher Regional Council;
 - (b) “Jhum” means shifting paddy cultivation;
 - (c) “Jhummer” means any person who practices jhum;
 - (d) “Other shifting cultivation” includes all sort of temporary and seasonal cultivations for any kinds of crops;
 - (e) “Village Council” means the Village Council constituted under the provisions of the Pawi-Lakher Autonomous Region (Administration of Justice) Rules, 1954.
 3. **Time for distribution of jhum :** Distribution of jhums and other shifting cultivation shall be done by the Village Council after 15th October every year.
 4. **Distribution of Jhum lands :**
 - (1) As provided for in clause (b) of section 10 of the Pawi-Lakher Autonomous Region [Forest] Act, 1954, the Village Council shall have the power to distribute land for jhum within the Village Supply Reserve.
 - (2) For the purpose of sub-section (i) the Village Council shall submit during the month of September every year, a report in writing to the Executive Committee regarding such land the approximate extend of the area there of and distribution of land for jhum within the Village Supply Reserves it may deem fit to the Village Council, and the Village Council shall be bound to comply with such direction.

- (3) The power to distribute jhums on any land other than that specified in sub-section (1) shall also be vested in the Village Council concerned.
- (4) In the event of a dispute arising out of a distribution of jhums land, the matter shall be referred to the Executive Committee and the decision of the Executive Committee thereon shall be final and binding.
- (5) **Special Privilege to select jhums :** Privilege to have the Special choice of jhums shall not henceforward be enjoyed by anyone, unless the Regional Council so declares in full sitting.
- (6) **Mode of Distribution of jhums :**
 - (1) After the commencement of this Regulation, distribution of jhum shall be done by the Village Council within their respective jurisdiction on the principles and in the manner hereinafter provided :-
 - (a) The area allotted shall, as far as practicable, be compact.
 - (b) No one shall select the jhum site for another along with his share.
 - (c) The Village Council shall have the power over any person in the selection of jhum site for common share with another family or families.
 - (d) The Village Council may impose penalty not exceeding Rs. 50/- (Rupees Fifty) on any person who after drawing of the loss in pursuance of sub-rule (2) (a) and (b) refuses accept the allotted site without sufficient shall be done.

- (2) The manner of distribution –
 - (a) by draw of lots to distribute jhum lands already demarcated;
 - (b) by draw of lots decide the order of preference by which selection of jhums shall be done;
 - (c) by allotment of old jhum areas to the respective holders in the last cycle of jhumming in case the majority of the jhummers in a village to desire;
- (7) **Precaution against fire :** It shall be the duty of the Village Council to take every precaution and enforce necessary measure against the spread of fire caused by burning of jhum.
 - (a) When any damage has been caused by fire to the forest of jhum lands due to the negligence of a Village Council, the Executive Committee may impose on such Village Council penalty to the extent of Rs. 50/- (Rupees Fifty) only;
 - (b) When the fire spread from the jurisdiction of one Village Council to that of another Village Council, and is likely to cause damage to some properties, public or private, it shall be the duty of the latter Village Council to put out the fire by all available means and it shall equally be the duty of the Villagers of the former Village Council to assist the villagers of the other Village Council in the work of extinguishing the fire.
- (8) **Power of the Executive Committee to issue orders :** The Executive Committee may, where the

provision of section 6 above cannot be followed due to any reason whatsoever, formulate a method other than the above and order that the same should be followed.

(9) **Prevention of erosion :**

- (1) The Executive Committee may at any time make such general or special order for the reafforestation of jhum land as it think fit, and also for ensuring that a reasonable area within any jhum may not be cultivated.
- (2) Where it appears that undue erosion or diminution of the supply of water required or likely to be required for irrigation is resulting or likely to result from the excessive cutting of tree in any jhum land, the Executive Committee may direct that a part or the whole of such jhum land shall be protected forests, and no person shall thereafter cut any tree in such protected forest without the permission of the Executive Committee.
- (3) Where it appears that undue erosion diminution of the supply of water required or likely to be required for irrigation is resulting or is likely to result from the cultivation on any jhum land, the Executive Committee may direct that the jhum land shall not be cultivated by any person for a period not exceeding ten years.
- (4) No order shall be made under sub-section (2) or sub-section (3) unless a reasonable opportunity has been given to this having customary rights to the land prefer objections against such order and unless all objections so referred have been

considered and rejected as unreasonable or unatenable;

- (5) No jhumming shall be permitted within one hundred feet on either side of all Government roads except with written permission of the Sub-Divisional Officer, Lungleh in consultation with the Chief Executive Member or the Executive Committee.
- (6) The Executive Committee may direct that for the purpose of preserving water supply, any particular area order jungle and previously in jhum land shall remain uncultivated provided that the existing rights of the community or the individual to collect forest produce shall not be interfered with.
- (10) **Final decision of Executive Committee to settle disputes** – Any dispute arising out of the distribution of jhum or allocation of other shifting cultivation shall be decided by the Executive Committee or Officer appointed in that behalf by the Executive Committee and such decision shall be final.
- (11) **Penalty :**
 - (1) Wilful disobedience of any direction issued by the Executive Committee or by a duty or by a duty authorised officer shall be punishable with a fine not exceeding Rs. 50/-
 - (2) Any person who after selection of jhum as provided for under this regulation and without sufficient reason subsequently fails to cultivate that land shall be liable to fine which may extent Rs. 25/-
- (12) **Executive Committee's Power to distribute jhums** – In the absence of a Village Council due

to its having been dissolved or not in existence, the distribution of jhums shall be done under instructions issued by the Executive Committee.

In authentication whereof, I give my signature this 13th day of September 1956

HENGMANGA

Chairman, Pawi-Lakher Regional Council, Saiha

R.T.R. RYMBAI

for Secy. to the Govt. of Assam, Tribal Areas Deptt.

The 15th June 1959

No. TAD/R/28/58 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council, which received the assent of the Governor of Assam, is hereby published for general information –

ACT I OF 1959

THE PAWI-LAKHER AUTONOMOUS REGION (INHERITANCE OF PROPERTY) ACT, 1959

(Passed by the Pawi-Lakher Regional Council)

(Received the assent of the Governor of Assam on the
11th June, 1959)

(Published in Assam Gazette, dated 24th June 1969)

An

Act

to provide for the regulation of inheritance of property.

Preamble – Whereas it is expedient to provide for the regulation of inheritance of property by means of will:

It is hereby enacted in the Tenth Year of the Republic of India as follows :

1. Short title, extent and commencement :

- (1) This Act may be called the Pawi-Lakher Autonomous Region (Inheritance of Property) Act, 1959.
- (2) It extends to the whole of the Pawi-Lakher Autonomous Region.
- (3) It shall come into force at once.

2. Savings of certain rights – Nothing herein contained shall be deemed to effect the laws of inheritance among those other than the Scheduled Tribes.

3. Definition - In this Act, except where it is otherwise expressly provided or the context otherwise requires –

- (i) “Region” means the Pawi-Lakher Autonomous Region.
- (ii) “Regional Council” means the Regional Council of the Pawi-Lakher Autonomous Region.
- (iii) “Regional Council Court” means the Pawi-Lakher Regional Council Court constitute under the provisions of the Pawi-Lakher Autonomous Region (Administration of Justice) Rule, 1954.
- (iv) “Prescribed” means reserved by rules under this Act.
- (v) “Property” includes moveable and unmovable properties
- (vi) “Will” means a testamentary instrument

4. ?

5. ?
6. ?
7. **Attestation –**
 - (i) The testator of a will must give his or her signature in the presence of the witnesses. If, however, he or she is unable to write, the left or the right thumb impression respectively must be given.
 - (ii) Each witness to a Will must give his or her signature or thumb impression as the case may be in the presence of the other witness.
 - (iii) Any Will or any part of a Will the making of which has been caused by fraud, or by such impetuosity away takes the free agency of the testator is void.
9. **Probate only to appoint executor :** Probate shall be granted only to an executor appointed by the will.
10. **Effect of probate :** Probate of a Will when granted establishes the Will from the death of the testator, and renders valid on intermediate acts of the executor as such.
11. **Jurisdiction of Regional Council Court :** The Regional Council Court shall have jurisdiction in granting and revoking probate in all cases.
12. **Grant of Probate :** The Regional Court shall have the like powers and authority in relation to the granting of probate and all matters connected therewith, as are by law vested in it in relation to any civil suit or proceeding pending therein.
13. **Production of testamentary papers :**
 - (i) The Regional Council Court may order any person to produce and bring into Court any paper or writing

being or purporting to be testamentary, which may be shown to be in the possession or under the control of such person.

- (ii) If it is shown that any such paper or writing is in the possession or under the control of such person, but there is reason to believe that he has the knowledge of any such paper or writing the Court may direct such person to attend for the purpose of being examined respecting the same.
- (iii) Such person shall be bound to answer true such question may be put to him by the Court, and if so ordered, to produce and bring in such paper or writing, and shall be subject to the like punishment under the Indian Penal Code, in case of default in not attending or in not answering such questions or not bringing in such paper or writing, as he would have been subject to in case he had been a party to a suit to a suit and had made such default.

14. Interference of the Court for Protection of Property :

Until probate is granted of the Will of a deceased person, the Regional Council Court within whose jurisdiction any part of the property of the deceased person is situated, is authorised and required to interfere for the protection of such property at the instance of any person claiming to be interested therein in ours any loss or damage, and for that purpose, if it thinks fit, to appoint an officer to take and keep possession of the property.

15. When probate may be granted : Probate of the Will to the estate of a deceased person may be granted by the Regional Council Court under the seal of the Court, if it appears by a petition of the persons applying for the same

that the testator at the time of his decrease had a fixed place or above or any property moveable or immoveable, within the jurisdiction of the Court.

- 16. Conclusiveness of probate :** Probate shall have effect over all the peoperty and estate, moveable or immoveable of the deceased, throughout the Region in which the same is granted and shall be concluded, as to the representative titles against all bedtors of the deceaesed, and all person holding property which belong to him and shall affort full indemnity to all debtors truying their bedts and all persons delivering up such property to thr person to whom such probate has been granted.
- 17. Petition for probate :** Application for probate with the will annexed, shall be made by a petitioner distinctly written in the language generally used in proceedings before the court in which the application is made, and stating :-
- (a) the time of the testator's death.
 - (b) that the writing annexed is his last will and testament.
 - (c) that it was duly executed.
 - (d) the amount of the assets which are likely to come to the petitioner's hand.
 - (e) that the petitioner is the executor named in the will.
 - (f) that the deceased at the time of his death had affixed place of abode or had some property situated within the jurisdiction of the court.
- 18. Power of the Regional Council Court :**
- (i) In all cases, the Regional Council Court may, if it think property –

- (a) examine the petitioner in person upon oath or affirmation.
 - (b) require further evidence of the due execution of the Will.
 - (c) issue citations calling upon all persons claiming to have any interest in the estate of the deceased to come and see the proceeding before the grant of probate.
 - (ii) The citation shall be fixed in some conspicuous part of the court house and also in the office of the Executive Committee of the Regional Council and otherwise published or made known in such manner as the court issuing the same may direct.
- 19. Time of grant of probate :** No probate of a Will shall be granted until after the expiration of seven clear days from the day of the testator's death.
- 20. Filing of original Wills of which probate with Will annexed granted :**
- (i) The Regional Court shall file and preserve all original Wills of which probate with the Will annexed may be granted by it among the records of a court until some public registry for Wills is established.
 - (ii) The Regional Council shall make rules for the preservation and inspection of the Wills so filed.
- 21. Surrender of revoked probate :**
- (i) When a grant of a probate is revoked or annulled under this Act, the person to whom the grant was made shall forthwith deliver up probate to the Court who made grant.

- (ii) If such person wilfully and without reasonable cause omits so to deliver up the probate, he shall be punishable with fine which may extent to Rs. 300/- (Rupees three hundred only) or with imprisonment for a term which may extent to two months or with both.

- 22. Payment to executor before probate revoked :** When a grant of a probate is revoked, all payments bonafide made to another executor under such grant before the revocation thereof shall, notwithstanding such revocation, be a legal discharge to the person making the same and the executor who has acted under such revoked grand may retain and reimburse himself in respect of any payments made by him which the person to whom the probate may afterwards be granted might have lawfully made:
- 23. Powers to make rules :** Subject to the previous approval of the Governor of Assam, the Executive Committee may make rules for carrying out the purpose of this Act.

B.W. ROY

Jt. Secy. to the Govt. of Assam
TRIBAL AREAS DEPTT.

The 28th November 1960

No. TAD/R/58/58 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council which receive the assent of the Governor of Assam, hereby published for general information –

ACT NO. 1 OF 1969

**THE PAWI-LAKHER AUTONOMOUS REGION
[AGRICULTURAL LAND] ACT, 1959**

(Passed by the Pawi-Lakher Regional Council)
(Received the assent of the Governor of Assam on the 23rd
November 1960)

**An
Act**

to provide for the control and allotment of land of Agriculture.

Preamble : Whereas it is expedient to provide for the control and allotment of land for the improvement of Agriculture within the Pawi-Lakher Autonomous Region.

It is hereby enacted, in the Eleventh year of the Republic of India as follows :-

1. Short title, extent and commencement :

- (1) This Act may be called the Pawi-Lakher Autonomous Region (Agricultural Land) Act, 1960.
- (2) It shall extent to the entire area of the Pawi-Lakher Autonomous Region, excluding any land which is under a “reserved forest” as defined in the Sixth Schedule.
- (3) It shall come into force at once.

2. Definition : In this Act, except it is otherwise expressly provided or the context otherwise requires :-

- (a) “Agriculture” means any cultivation of land or soil for cereals, frints and other edible or inedible plants including flowers and trees for timbers and other products.

- (b) "Allotment" with respect to land means allotted in writing by competent authority and registered and tax realised;
- (c) "Regional Council" means the Regional Council of the Pawi-Lakher Autonomous Region;
- (d) "Executive Committee" means the Executive Committee of the Pawi-Lakher Regional Council.
- (e) "Garden" means any land cultivated for fruits, vegetable or other particulars including flowers, tress, timbers and other product.
- (f) "Wet cultivation" means an area and areas suitable for permanent cultivation and/or used for such purposes and shall also includes terraces for permanent cultivation;

3. Allotment :

- (1) The executive Committee or the Officers appointed by it in writing in this behalf may allot any land for the purpose of gardening or wet cultivation
- (2) Each Village Council may allot any land for the purpose of gardening within its jurisdiction when so authorised in writing generally or otherwise by the Executive Committee in the prescribed manner.
- (3) All such allotment shall be made by issue or permit or pass in which the location and the area in bigha of the allotment shall be clearly and specifically defined.
- (4) The Executive Committee may, by rules, impose such conditions and terms as it may deem reasonable on all allotments of lands made under sub-section (1) and (2).

4. **Registration :** The Executive Committee or the Village Council as the case may be, shall maintain a register of land records in which all allotments shall be registered provided that it may refuse to register unauthorised garden or wet cultivations and in such case such land shall be deemed to be opened for the allotment by the appropriate authority.
5. **Change of hands :** Any change of hand in respect of the registered garden or wet cultivations due to sale or otherwise shall be reported to the Executive Committee for necessary incorporation in the register, failing which the permit or pass may be liable to be cancelled.
6. **Penalty :**
 - (1) If any person contravenes any all the provisions of this Act, he shall be liable to a fine which may extend to one hundred Rupees.
 - (2) The Executive Committee or the Village Council may impose fine for the contravention of any provision of this Act, any rule made thereunder for the extent prescribed in sub section (1) after giving reasonable opportunity for hearing the record the reason and findings or all facts on which the order is based.
 - (3) An appeal shall lie against the order of the Village Council, passed under sub-section (2) to the Executive Committee.
7. **Rules :** Subject to the previous approval of the Governor of Assam, the Executive Committee may make rule for carrying out the provisions of this Act.

F. SANGLUAIA
Chairman
Pawi-Lakher Regional Council
Saiha

The 14th March, 1961

No/TAD/R/63/58 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council, which received the assent of the Government of Assam, is hereby published for general information :

ACT NO. II OF 1961

THE PAWI-LAKHER AUTONOMOUS REGION
(LAND AND REVENUE) ACT, 1960

((Passed by the Pawi-Lakher Regional Council)

(Received the assent of the Governor of Assam on the
19th March 1961)

(Published in Assam Gazette, dated 22nd March 1961)

**An
Act**

to provide for the recognition of rights on land and assessment of revenue on such land.

Preamble : Whereas it is expedient to provide for the recognition of rights on land and the assessment of revenue on such land and for the ancilliary matters on the Pawi-Lakher Autonomous Region;

It is hereby enacted in the eleventh year of the Republic of India, as follows –

CHAPTER 1

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

1. This Act may be called by the Pawi-Lakher Autonomous Region (Land and Revenue) Act, 1960.
2. It shall extend to the whole of the Pawi-Lakher Autonomous Region.
3. It shall come into force at once.

2. **Definition :** In this Act, unless there is anything repugnant or the context otherwise requires :-

- (1) “Region” means the Pawi-Lakher Autonomous Region;
- (2) “Regional Council” means the Regional Council of the Pawi-Lakher Autonomous Region.
- (3) “Executive Committee” means the Executive Committee of the Pawi-Lakher Autonomous Council.
- (4) “Land” includes Lands either vacant or occupied within the Pawi-Lakher Autonomous Region. It shall include also benefits to arise out of land and things attached to the earth or permanent by fasten or anything attached to the earth, but shall exclude minerals, minearal oil, natural gas and petroleum.
- (5) “Land Revenue” means any revenue passed on an estate and includes other taxes assessed in lieu of land revenue.
- (6) “Prescribed” means prescribed by rule under this Act.

- (7) “Reserved Forest” means a reserved forest as defined in sub-paragraph (2) of paragraph (3) of the Sixth Schedule to the Constitution of India.
- (8) Settlement holder” means person who has entered into an engagement with the Regional Council to pay land revenue for use of a specified plot of land;
- (9) “Deputy Commissioner” means the Deputy Commissioner, Mizo District and includes the Sub-Divisional Officer, Lungleh;
- (10) “Pass holder” means a person who has the temporary rights of use and occupancy over a specified plot of land for a specified period under such terms as the Executive Committee may prescribe in the pass he holds.

CHAPTER II

Rights over Land

- 3. **Excepted Lands :** This Chapter shall apply to all lands except the following :-
 - (a) Land included in the State reserved forest;
 - (b) The Soil of all Government compound and the Government and public roads.
- 4. No person shall acquire by length of possession or otherwise any right over land disposed of allotted or occupied before the commencement of this Act, unless such land has been recorded and registered either in the office of the Deputy Commissioner or in the office of the Deputy Commissioner in the Office of the Regional Council.

5. **Rights of pass holder :** A pass holder shall have no right in the soil beyond a right of user for the period of which it is given and shall have no right of transfer, or inheritance beyond the period of the pass or subletting.
6. **Relinquishment of land :** A settlement holder or a pass holder may at any time during the whole settlement or of the pass as the case may be, relinquish the whole of his estate or any portion of it after paying all land revenues due from him in respect of the estate portion of it proposed to be relinquished, by a written petition to the Regional Council within such time as may be prescribed and on such relinquishment being accepted by the Regional Council the settlement holder/pass holder shall cease to have all rights and interest whatsoever conferred on him at the settlement/pass holder on the relinquished land.
7. **Settlement holder's right over land :** The settlement holder shall require no right in the land under the settlement beyond that which is given by rules under this section;
8. **Power of the Executive Committee over vacant land :** In the case of any land over which no person has right of use or occupancy of the Government, the Executive Committee may direct that :-
 - (a) such land may be disposed of by way of grant, lease or otherwise in the manner prescribed.
 - (b) the person who has entered into unauthorised occupation of such land may be ejected in the manner prescribed.
 - (c) any crop, building or other construction erected without authority may be disposed of in the manner it deems fit.

CHAPTER III

- 9. Recording and Demarcation of land :** The Regional Council or any Officers appointed in its behalf shall survey all lands to be recorded. The demarcated boundary and then the assessed revenue to be paid annually shall be recorded in the General Register vide Appendix "A". The Executive Committee may prescribe subject to paragraph (2) of the Sixth Schedule to the Constitution of India and to this Act, principles on which the land revenue is to be assessed, the term for which and the conditions on which settlement may be made. The settlement holder shall make proper boundary marks as may be directed by such officer or the Executive Committee.

Recording shall be made in such manner and after such enquiry as may be prescribed.

- 10. Certificate of possession and assessment :** A settlement holder shall, on the completion of survey and demarcation of boundary obtain a certificate of recording for the details of that land on payment of such recording fee as may be prescribed.
- 11. Legal ownership over land :** Possession of such certificates showing details of boundary area and assessed revenue to be paid annually shall be deemed to be the conclusive proof that the land has been settled with the holder of the certificate and that all rights and interests arising out of such settlement have rested in such holder of the certificate.
- 12.** If a settlement holder violates any terms of the lease, the lease shall be liable to be cancelled.

13. **Transfer of ownership of land :** No transfer of any right title a interest in any land shall be recognised by the Regional Council or the Village Council and no person shall be deemed to be exonerated from any liability due to the Regional Council or the Village Council by virtue of such transfer, unless such transfer is registered in the office of the Regional Council on payment of transfer fee as may be prescribed.

CHAPTER IV

LIABILITY FOR REVENUE AND DEFAULT

14. **Liability for land Revenue :** Land Revenue payable in respect of any estate shall be due jointly and severally from all persons who have been in possessions of the estate or any part of it during any time to be prescribed by the Executive Committee in respect of which that revenue is payable.
15. **Revenue when due and law to be paid :** Every sum payable under this Act on account of land revenue shall fall due on such date, and shall be payable in such manner, in such instalments, at such place and to such person as may be prescribed.

Provided that the Executive Committee may sanction remission of revenue to any deserving person or persons due consideration being given to the nature and circumstances of each case;

16. **Arrear and defaulter :** Land revenue not paid on the date when it falls due shall be deemed to be ab arrear,

and every person liable for it shall be deemed to be defaulter.

Provided that a notice of demand for payment of an arrear shall be issued within the prescribed time and in the prescribed manner.

- 17. Penalty :** When an arrear has accrued and additional charge by way of penalty not exceeding the amount due from the defaulter shall be levied.
- 18. Attachment and sale of moveable :** For the recovery of an arrear the Executive Committee may, in accordance with the provision of the law for the time being in force for the administration? justice in the Region order attachment and sale of so much of defaulter's moveable properties as well, as nearly as may be to pay the arrear.

Provided that nothing in this section shall authorise the attachment and sale of necessary wearing apparel implements of husbandry, tools of artisans, materials or houses and other building, belonging to and occupied by the defaulter or such cattle or such other necessary? and materials that may be necessary to enable the defaulter to earn his livelihood as an agriculturist.

CHAPTER V

- 19. Appeal :-**
- (1) Appeal in all revenue cases under this Act shall be heard and disposed of by the Chief Executive Member of the Regional Council.

Provided that nothing done in connection with the recognition of right and interest over land shall preclude any person from bringing a suit in the competent

Civil Court for possession of, or for declaration of his right to any immovable property to which he may deem himself entitled.

- (2) The appeals to the Chief Executive Member shall be preferred in such manner and within such time as may be prescribed.
20. Subject to the approved of the Governor of Assam, the Executive Committee may make rules for carrying out the purposes of this Act.

APPENDIX 'A'
FORM OF GENERAL REGISTER
See Section 9

Serial No	Owner's name with father's	Resi	Description of boundary with	Areas in	Rates per	Amount of	Remarks

B.W. Roy
Joint Secretary to the Govt. of Assam
Tribal Areas and Welfare of Backward Classes Deptt.
Shillong

The 9th May, 1961

NO. TAD/R/27/60 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council which received the assent of the Governor of Assam, is hereby published for general information :-

ACT NO. V OF 1961

(Passed by the Pawi-Lakher Regional Council)
(Received the assent of the Governor of Assam on the 3rd
May, 1961)
(Published in the Assam Gazette 11th August 1961)

**An
Act**

to provide for the registration of marriage and divorce and to regulate such ancillary matters

Preamble : Whereas it is expedient to provide for the registration of marriage and divorce and to regulate such ancillary matters including payment of marriage prices;

It is enacted in the Eleventh Year of the Republic of India as follows :-

1. Short title, extent and commencement :-

- (1) This Act may be called the Pawi-Lakher Autonomous Region (Marriage and Divorce) Act, 1960.
- (2) It shall extend to the entire area of the Pawi-Lakher Region.
- (3) It shall come into force at once.

2. **Definition :** In this Act except where it is expressly otherwise provided or the context otherwise requires –
 - (1) “Marriage’ means a contract by which a man and a woman becomes husband and wife according to the existing customary laws;
 - (2) “Divorce” means an act of dissolution of a mirraige according to the existing customary laws.
 - (3) “Regional Council” means the Pawi-Lakher Regional Council.
 - (4) “Executive Committee” means the Executive of the Pawi-Lakher Regional Council.
3. Each Village Council shall maintain a register of marriages as may be prescribed by the Executive Committee and record in such register, all the details of each marriage and divorce performed within its jurisdiction. The Village Council shall also punish all such details to the Regional Council.
4. There shall be a general register of marriage in the office of the Regional Council and all the details of marriage and divorce when received from the Village Council shall be entered therein.
5. Every bridegroom shall have to pay a registration fee of Rs. 5/- to the Regional Council failing which suits and cases relating to marriage and divorce filed by any interested party shall not be entertained in any of the course of the Regional Council.
6. The Executive Committee shall, in consultation with the Regional Council, make rules to regulate any matter connected with marriage and divorce in accordance with the existing customary laws.

B.W. Roy
Jt. Secy. to the Government of Assam
Tribal Areas and Welfare of Backward Classes
Department, Shillong

The 23rd August 1963

No. TAD/R/20/61 : In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Pawi-Lakher Regional Council which received the assent of Governor of Assam, is hereby published for general information :

PAWI-LAKHER ACT NO. I OF 1963
THE PAWI-LAKHER AUTONOMOUS REGION
(HNATLANG) ACT, 1962

(Passed by the Pawi-Lakher Regional Council)
(Received the assent of the Governor of Assam, on the 11th
July 1963)
(Published in the Assam Gazette, dated 17th July 1963)

**An
Act**

to provide for the control and regulation of Hnatlang.

Preamble : Whereas it is expedient to provide for the control and regulation of Hnatlang.

It is enacted in the Fourteenth year of the Republic of India as follows :-

1. Short title, extent and commencement :

(1) This Act may be called the Pawi-Lakher Autonomous

Regional Council (Hnatlang) Act, 1962.

- (2) It shall extend to the whole of the Pawi-Lakher Autonomous Region.
- (3) It shall come into force at once.

2. Definition : In this Act, except where it is expressly otherwise provided or the context otherwise require :-

- (a) "Hnatlang" means a customary service for the common good of the villagers which the residents of a village are to render.
- (b) "Village Council" means Village Council constituted under the provisions of the Pawi-Lakher Autonomous Region (Administration of Justice) Rules, 1954.
- (c) "Regional Council" means the Pawi-Lakher Regional Council.
- (d) "Executive Committee" means the Executive Committee of the Pawi-Lakher Regional Council.
- (e) "Rûn" means customary for imposed by a Village Council for refusal to contribute in the Village Hnatlang.

3. Power of Village Council to enforce Hnatlang :

- (1) The Village Council shall have power to enforce "Hnatlang" within its jurisdiction whenever occasion so demand for the interest of the Village Committee as a whole.

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

- (2) The President and the Secretary of a Village Council shall keep a list of persons performing "Hnatlang"

and shall see that each household is represented.

- (3) The President of a Village Council shall caused to be announced in the village, the proposal of holding “Hnatlang” appointing the date and time.
- (4) Any person who does not comply with the order of “Hnatlang” shall be liable to “run” either in kind or in cash not exceeding Rs. 4/- per hnatlang day unless he has been exempted from hnatlang or has obtained commutation under section 4.
- (5) If a Village Council fails to carry out its order to realise “run” imposed on any person, the matter shall be referred to the Executive Committee for a realisation of “run”.

3. Exemption from Hnatlang and condition thereof :-

- (1) The Village Council shall have power to exempt any person or persons from “Hnatlang” on the ground of illness and other reasonable reasons at its own direction. The reason for exemption shall be recorded in writing. No person who is of 60 years or above compelled to do any “Hnatlang”
- (2) Any person below 15 years shall not be allowed to represent in the “Hnatlang”
- (3) Every person shall have the option of commuting his obligation to render service under “Hnatlang” to payment of cash compensation in lieu of it at a rate to be fixed by the Village Council not exceeding Rs. 4/- per Hnatlang day.

5. Utilisation of “run” and compensation amount –

- (1) The amount of “run” and compensation mentioned in section 3 (4) and 4 (3) may be spent by the persons

performing “Hnatlang” in any manner they like.

- (2) The Secretary of a Village Council shall keep the account of receipts and expenditures of the “run” and compensation and any person shall be at liberty to inspect the accounts.

6. Final Decision of the Executive Committee to settle dispute : Any dispute arising out of the performance of “hnatlang” shall be settled by the Executive Committee and such decision shall be final and binding on all concerned.

7. Power of the Regional Council to regulate matters connected with “Hnatlang”

All matters connected with “Hnatlang” and which are not provided for in this Act shall be regulated by the Regional Council and all the decisions shall be notified by the Executive Committee in a manner it considers appropriate.

B.C. HAZARIKA

Under Secy. to the Govt. of Assam, Tribal Areas
and Welfare of Backward Classes Department
Shillong

The 8th August, 1959

**THE ASSAM HIGH COURT JURISDICTION
OVER REGIONAL COUNCIL COURT)
ORDER, 1959**

No. TAD/R/11/53/32 : In exercise of the powers conferred by sub-paragraph (3) of 4 of the Sixth Schedule to the Constitution of India and of all other powers enabling him in that behalf the Governor of Assam is pleased to make to following order –

1. (1) This Order may be cited as the Assam High Court (Jurisdiction over Regional Council Court) Order, 1959.
- (2) It shall come into force at once.
2. In this order.
 - (a) “Advocate General” means the Advocate General of the Assam;
 - (b) “Autonomous Region” means the Pawi–Lakher Autonomous Region;
 - (c) “Constitution” means the Constitution of India;
 - (d) “Regional Council” means the Pawi–Lakher Regional Council;
 - (e) “Regional Council Court” means the Pawi–Lakher Regional Council Court constituted under the provisions of paragraph 7 of Pawi–Lakher Autonomous Region (Administration of Justice) Rules, 1954;
 - (f) “Governor” means the Governor of Assam;

- (g) “High Court” means the High Court of Assam;
- (h) “Government Advocate” means the Government Advocate appointed by the Government of Assam;
- (i) “Village Court” means Village Court constituted under the provisions sub-paragraph 6 of the Pawi–Lakher Autonomous Region (Administration of justice) Rules, 1954.

3. An appeal against a final order or decision of the regional Council Court in a civil suit where the valuation of the suit is Rs. 1,000 or more shall lie to the High Court :

Provided that such appeal shall be presented within ninety days from the date of the order or decision on appealed against, exclusive of the time requisite for obtaining a copy of the said order or decision :

Provided further that the High Court may admit an appeal filed beyond the period of limitation if the appellant satisfies the Court that he had sufficient cause for not preferring the appeal within the specified period.

Explanation : The term “suit” includes execution proceeding.

4. [1] In criminal cases an appeal shall lie to the High Court from any order of conviction of the Regional Council Court awarding a sentence of six month’s imprisonment or upwards.
- [2] An appeal under sub-clause [1] shall be presented within sixty days of the date of order appealed against excluding the time needed for obtaining a copy of the order.

Provided that the High Court may admit an appeal filed beyond the period of limitation if the appel-

lant satisfies the Court that he had sufficient cause for not preferring the appeal within the specified period.

5. (1) The Governor may direct the Government Advocate to present an appeal to the High Court against any order of acquittal by the Regional Council Court.
- (2) An appeal against acquittal under sub clause (1) shall be presented within ninety days from the date of the order appealed against excluding the time requisite for obtaining a copy of the order.
6. The High Court may, on application or otherwise, call for the proceedings of any Civil or Criminal case decided by or pending in any Village Court or the Regional Council Court and pass such orders as it may deem fit.
7. (1) Whenever it is made to appear to the High Court –
 - [a] that a fair and impartial inquiry, trial or adjudication cannot be had in any case, suit, appeal or other proceedings in the Village Court or the Regional Council Court in which it is pending, or
 - [b] that some questions of law, tribal or otherwise of unusual difficulty is likely to arise, or
 - [c] that a view of the place in or near which any offence has been committed may be required for the satisfactory inquiry into or trial of the same, or
 - [d] that an order this clause will tend to the general convenience of the parties or witness, or
 - [e] that such an order is expedient for the ends of justice or is required by the provision of any law applicable to the case;

It may, –

- [i] if the case, suit or the proceedings, as the case may be, is pending in a Village Court, transfer the same for disposal to any other Village within the Autonomous Region or to the Regional Council Court;
 - [ii] if the case, suit, appeal or the proceedings as the case may be, is pending in the Regional Council Court, withdraw the same to its own file for its final disposal or for the disposal of any or more of the issues involved therein.
- (2) The High Court may, by exercise of the powers given under sub clause (1), act either on the report of the Lawyer Court or on the application of a party interested or its own initiative.
 - (3) Every application for the exercise of the powers conferred by this clause shall be made by motion, which shall, except when the applicant is the Advocation General or Government Advocate, be supported by affidavit or affirmation.
 - (4) When an accused person makes an application under this clause the High Court may direct him to execute a bond with or without sureties on condition that he will, if so ordered, pay any amount which the High Court may, under this clause award by way of compensation to the person apposing the application.
 - (6) Every accused person making any such application shall give to the Government Advocate or accrediter representative of the Regional Council, as the case

may be, notice in writing of the application together with a copy of the grounds on which it is made and no order shall be made on the merits of the application, unless at least forty-eight hours have elapsed between the giving of such notice and the applicant.

6. Where any application for the exercise of the power conferred by this clause is dismissed, the High Court may, if it is of opinion that the application was frivolous or vexatious, order the applicant to pay by way of compensation to any person who has opposed the application such sum not exceeding two hundred and fifty rupees as it may consider proper in the circumstances of the case.
7. If, before the argument (if any) for the admission of an appeal begins, or in the case of an appeal admitted before the argument for the appellant begins any party interested intimates to the Court that he intends to make an application under this clause, the court shall, upon such party executing, if so required, a bond without sureties of an amount not exceeding two hundred rupees that he will make such application within a reasonable time to be fixed by the court postpone the appeal for such a period as will afford sufficient time for the application to be made and an order to be obtained thereon.
8. The High Court before which an appeal in a civil suit is filed, may, before admitting the appeal, order the appellant to deposit or furnish sufficient security for all reasonable expenditure likely, in the opinion of the court, to be incurred by the respondent in the hearing of the appeal and if the appellant be a judgment debtor may also order to furnish security for part or the whole of the decretal amount.

9. The decree of the High Court in a civil case shall be transferred to the court passing the original order, or in case of an order passed in a case withdrawn under sub-clause (ii) of a clause 7 (i) to the Regional Council Court for execution as a decree of its own.

R.B. VAGHAIWALLA
Secy. to the Government of Assam
Tribal Areas Department, Shillong

The 28th June, 1954

NO. L.JL.15/54/40 – The following Act of the Assam Legislative Assembly which received the assent of the President is hereby published for general information.

(Received the assent of the President on 26th June 1954)

ASSAM ACT. XXI OF 1954.
THE ASSAM LUSHAI HILLS DISTRICT
(ACQUISITION OF CHIEFS' RIGHTS' ACT, 1954

Passed by the Assembly
Published in the Assam Gazette, dated 30th June 1954)

An

Act to provide for the acquisition by the State of certain rights and interest of Chiefs in an over land in the Lushai Hills District in the State of Assam;

It is hereby enacted as follows :-

1. Short title, extent and commencement :

- (1) This Act may be called the Assam Lushai Hills District (Acquisition of Chief's Rights) Act, 1954;

- (2) It shall come into force on such date as the State Government may, by notification appoint in this behalf.

2. Definitions : In this Act unless there is anything repugnant in the subject or context –

- (a) “Autonomous Region” means the Pawi–Lakher Autonomous Region constituted as such under sub-paragraph (2) of paragraph 1 of the Sixth Schedule to the Constitution of India;
- (b) “Agriculture” includes horticulture;
- (c) “Agricultural year” means the Assemese year commencing on the first day of Baisak;
- (d) “Chiefs” means a Chief of Lushai Hills District recognised as such by the State Government before the commencement of the Act.
- (e) “Compensation Officer” means a Compensation Officer appointed by the State Government under subsection (2) of the section 7 of this Act;
- (f) “Court” except in the case of any reference to the High Court means the Lushai Hills District Council Court established under sub-paragraph (2) of paragraph 4 of the sixth Schedule to the Constitution of India or till such Court is established the Court of the Deputy Commissioner;
- (g) “date of vesting” means the first day of the agricultural year next following the date of publication of the Notification under section 3 of this Act.
- (h) “Deputy Commissioner” means the Deputy Commissioner of the Lushai Hills District and includes the

Subdivisional Officer, Lungleh or any Extra Assistant Commissioner or any other Officer empowered by the State Government to discharge the functions of the deputy Commissioner under any of the provisions of this Act;

- (i) “District Council” means the District Council of the Lushai Hills Autonomous District constituted under the provisions of the Sixth Schedule to the Constitution of India in accordance with the Assam Autonomous districts (Constitution of District Council) Rules, 19.....
- (j) “Executive Committee” means the Executive Committee of the Lushai Hills District Council.
- (k) “Fathang” mean a due payable to a Chief by a cultivation in kind or in cast;
- (l) “Homestead” means a dwelling house (whether used by the owner or let out on rent) and the land on which it stands together with any court yard, compound, attached garden, orchard and out buildings, and includes any outbuildings used for purposes connected with agriculture or horticulture and any tank or well and place of worship pertaining to such dwelling houses;
- (m) “Law” includes a tribal custom or usage having the force of law in the Lushai Hills District :
- (n) “Member in charge of the land affairs of the District Council” means a member of the Executive Committee of the Lushai Hills District Council entrusted with the land affairs of the Council under sub-rule [1] of rule 31 of the Assam Autonomous

District (Constitution of District Council) Rules, 1951.

- (o) “Prescribed” means prescribe by the rules made under this Act,
- (p) “Ram” means a tract or tracts of land held by a chief under a Ramri lehkha or boundary paper issued by the competent authority.
- (q) “Regional Council” means the Regional Council of the Pawi–Lakher Autonomous Region constituted under the provisions of the Sixth Schedule to the Constitution of India and in accordance with the Pawi–Lakher Autonomous Region (Constitution of Regional Council) Rules, 1952;
- (r) “Rent” means whatever as lawfully payable in money or in kind by tenant on account of the use and occupation of land held by him;
- (s) “Tenant” means a person who holds land under another person and is or, but for a spetial contract, would be liable to pay rent for the land to that other person, but does not include a person who holds immediately under Government;
- (t) “Tin” means one four gallon kerosene oil tin.

3. Notification declaring the vesting of “Ram” in the State :

- (1) The State Government may, from time to time, by notification declare that the rights and interest of a chief in his Ram specified in the notification shall stand transferred to and vest in the State free from enumbrances.

- (2) A copy of the afore said Notification shall be served in the manner prescribed in the chief whose interest is affected by such Notification.
- (3) The notification refered to in sub section (1) shall also be circulated within the Ram concerned by the Deputy Commissioner in such manner as he deems fit.
- (4) The Publication of such Notification in the manner provided in sub-section (2) and (3) shall be conclusive evidence of the notice of declaration to the chiefs whose interest are affected by such Notification.

4. Consequence of such notification : Notwithstanding anything contained in any law for the time being in force or in any agreement or contract expressed or implied, or the publication of the Notification referred to in section 3, all rights and interests of the Chief in the Ram shall, save as otherwise expressly provided in this Act, cease and shall vest absolutely in the State free from all encumbrances in accordance with the provisions of this Act with effect from the agricultural year next following the date of publication of such Notication.

5. Compensation how to be paid : No compensation to any Chief whose rights and interests in his Ram vest in the State under provisions of this Act shall be payable except as provided for in this Act.

6. Settlement of Rams :

- (1) The District Council or the Regional Council, as the case may be shall take over charge of any Ram, the rights and intersest of the Chief which vest in the State.

- (2) All the Rams shall be administered by the District Council or the Regional Council, as the case may be in accordance with the law for the time being in force in the Lushai Hills District.

7. Compensation Statements :

- (1) Every Chief whose rights and interests in a Ram have vested in the State in consequence of a Notification issued under section 3, shall be paid compensation according to the provisions of this Act.
- (2) The State Government shall, as soon as possible after the publication of Notification under section 3, appoint one or more Officers, to be hereinafter called Compensation Officer, to prepare a compensation statement in the manner and form prescribed in the rules and to perform such other duties as are provided by any provision of this Act or by any rule made thereunder.
- (3) The compensation statement shall inter alia contain (i) the total number of householders within a Ram of the Chief, (ii) the amount of compensation to be paid under the provisions of this Act to such Chief and other persons whose interests are affected, (iii) whether payment to be made in cash or in kind, (iv) whether payment to be made instalments or in lump and (v) any other particulars as may be prescribed.

8. Compensation payable to a Chief :

- (1) The Compensation Officer shall for the purpose of preparing the compensation statement, determine the amount of compensation payable in respect of each

Ram in the manner and in accordance with the principles hereinafter set out, that is to say –

- (a) The Compensation payable to a chief shall be as follows for a period of ten years with effect from the date of vesting –
 - i) three tins of paddy per year per household upto a limit of one hundred households in his Ram; and
 - ii) two tins of paddy per year per household for every additional household in Ram beyond the limit of one hundred mentioned in (i) above;
- (b) for the purposes of clauses [a] –
 - (i) where a Chief has more than one Ram in his jurisdiction, all the Rams shall be treated as one Ram and the total number of households shall be computed accordingly;
 - (ii) the actual number of households within the Ram of a Chief shall be regarded as those paying nothing to the Chief immediately preceding the commencement of this Act, and shall not include those exempted from the payment thereof by virtue of profession, trade, calling, employment or of the recognition of other services.
- (c) The amount of compensation shall, as and when pay in cash, be calculated according to the market price of paddy prevailing at the time in locality where the Ram concerned is situated.

- (2) The compensation shall, in the first instance, be determined for the Ram as a whole and not separately for each of the co-sharers or interests therein.
- (3) The compensation Officer shall then apportion the share of compensation payable to a co-sharer or any persons having interest in the Ram and if, in doing so any question involving matter of civil nature arises, he shall dispose of the matter in the prescribed manner.

9. Preliminary publication of Compensation Statement :

- (1) The Compensation Officer, after the determination of the compensation payable to a Chief under provision of section 7 shall prepare the compensation statement as provided for in sub-section (3) of section 7.
 - (2) The Compensation Officer shall cause a draft of the compensation statement to be published in the manner prescribed calling for objections from any persons interested in it, to be submitted within a period prescribed.
 - (3) A copy of such draft compensation statement shall be sent in the manner prescribed to the persons whose names appear in the compensation statement.
 - (4) One receipt of any objection preferred within the prescribed period, the Compensation Officer shall consider and dispose of them according to the rules prescribed by the state Government.
- 10.** A further appeal shall lie to the High Court from any decision of the Deputy Commissioner Lushai Hills District if preferred within ninety days of such decisions.

11. Final publication of Compensation Statement :

- (1) After deposed of all objections and appeals under section 9 and the Compensation Officer shall correct the compensation statement in such away as to give effect to the order passed on objections and appeals referred to in section 9 and 10 and cause the compensation statement so corrected to be finally published in the manner prescribed, Compensation statement, except as provided elsewhere in the Act shall be final.
- (2) After the compensation statement has been published under sub section (1) the Compensation Officer shall, within the period fixed by the state Government by any general or special order, furnish a certificate to the Deputy Commissioner in the manner and prescribed, stating the fact of such publication, and certificate shall be conclusive proof of such publication.

12. Correction of bonafide de mistakes, etc :

- (1) No correction of the compensation statement after it has been finally published under section II shall be made except as provided in this section.
- (2) Correction of bonafied mistakes or corrections undissociated by succession or inheritance of any interests in the Ram can be made by Compensation Officer at any time before the payment of compensation, either of his own motion or on the application of the persons interested, but no such correction shall be made while an appeal affecting such entry is pending.

- (3) If a Chief dies within the period of ten years to date of vesting and if the compensation payable to him is paid in instalment, the Compensation Officer shall correct the compensation statement after ascertain heirs or representative of the deceased Chief.
- (4) Every time, in making such corrections as are referred to in sub-sections (2) or (3) the Compensation Officer shall cause a draft of the corrections to be published in the same manner as the draft compensation statement is required to be published under section 9 and after considering and disposing of any objections that may be made in the manner provided in the sub section 4 of section 9 shall cause the corrections to be finally published.

13. Mode of payment of Compensation :

- (1) The Compensation shall be paid in cash or in kind.
- (2) The amount of compensation payable to a Chief shall consist of an equal annual recurring payable for a period of ten years of paid in kind or its equivalent if paid in cash.

Provided that the total amount of compensation may be paid, at the obtain of the State Government, to a Chief in a lump either in kind or in cash calculated on the basis of the prevailing market price of paddy in the locality where the Ram stands.

- (3) The State Government shall communicate its decision under provision to sub-section (2) above, to the Compensation Officer in the prescribed manner within a prescribed period.

- (4) The Compensation Officer shall, as provided for in sub-section (1), (2) and (3) make payment of the compensation so payable to the person entitled according to the compensation statement finally published.
- (5) If any dispute arises as to the title of any such person to receive the amount, the compensation Office may if he thinks fit, keep the amount in deposits as determined by Court to whom the parties shall be referred and on such determination the Compensation Officer shall pay the amount to the person or persons entitled to receive the same.

- 14. Bar to Jurisdiction of Civil Courts in certain manners :** Save as otherwise expressly provided in any provisions under this Act, no suit or other proceedings shall lie in any Civil Court in respect of any entry in or omission from a Compensation statement published under this Act or in respect of any order passed or any Act done or purporting to be done under this Act or the rules made thereunder.
- 15. Protection on action taken under the Act :** No suit, prosecution or other proceedings shall lie against any Officer of the State or of the District Council or Regional Council for anything in good faith done or purporting to be done under this Act any rules made thereunder.
- 16. Enquiries on proceeding conducted by the Compensation Officer to be deemed as “Judicial proceedings” :** The Compensation on Office, for the purpose of any enquiries of proceedings taken under this Act shall have the same powers as are exercised by an Assistant to the Deputy Commissioner under the rules for the Regu-

lation of the Procedure of Officers appointed to administer justice in the Lushai Hills published under Notification No. 2530 (....). A.P. dated 25th March 1937 as subsequently adopted and modified by the Assam Autonomous District (Administration of Justice) Regulation, 1952, in respect of (a) enforcing the attendance of any person and examining him and (b) compelling the production of documents, and such enquires or proceedings conducted by the Compensation Officer shall be deemed to be Judicial proceedings under the aforesaid Rules.

17. **Powers to order production of documents, register, etc :** Subject to any condition that may be prescribed, the Deputy Commissioner, the District Council, the Regional Council or the Compensation Officer may for the purposes of this Act, require any person to produce any document, paper or register which is in his possession or under his control or to furnish any information which he may think necessary for the proper discharge of any duties under any provision of this Act.
18. **Delegation of powers :** The State Government may by notification delegate to any officer authority subordinate to it, any of the powers conferred on it by this Act to be exercised subject to any restriction and condition as may be specified in the said notification.
19. **Penalties :** Whoever
 - (i) Wilfully fails or neglects to comply with any requirements made of him under this Act. or,
 - (ii) contravenes any lawful order passed under this Act, or
 - (iii) obstructs or resists the taking by the District Council

or the Regional Council or any Officer authorised by it in writing or change of any Ram the rights and interests of a Chief in which have vested in the state under this Act, or,

- (iv) furnishes information which he knows or believes to be false or does not believe to be true, shall on conviction before a Magistrate and in addition to any other action that may be taken against him, be punishable with fine which may extend to one thousand rupees.

- 20. Power to remove difficulty :** If any difficulty arises in giving effect to any provision of this Act, the State Government may, as occasion requires, take any action not inconsistent with the provisions of this Act. which may appear to it necessary for the propose of removing the difficulty.
- 21. Power to make rules :** The State Government may, subject to previous publications, make rules for carrying out the purposes of this Act.

S.K. Dutta

Secretary to the Government of Assam
Legi & Judicial Departments.

PAWI-LAKHER REGION HNAM DÂN

THUHMAHRUAI

Pawi-Lakher Region Council chuan he dân hi Pawi-Lakher Autonomous Region (Administration of Justice) Rules, 1954 nena hman kawp atana siam a ni. He dân hi "Pawi-Lakher Region hnam Dân" tih a ni.

He dân hi Pawi-Lakher Region chhunga Regional Council Court-in Village Council nei tura Assam Gazette-a a puan khuatea Village Court-ten Pawi-Lakher Region chhunga khawsak dan thu pawimawh leh thubuaiah tawh reng reng chuan hman tur a ni.

BUNG I

VILLAGE COUNCIL COURT

1. Regional Council-in Assembly Gazette-a khua (Village) atana a puan tawh a, Village Council-te chuan Pawi-Lakher khawsakna dâna thu pawl leh thubuai tawh phawt chu thu nepnawi te chenin, Village Council Quorum tling ngeiin relin thu an titawp \hin tur a ni.
2. Village Court-in thu a rem apiangin Village Council Secretary-in an thubuai ngaihtuah chu zia kin a chhinchhiah ang a, Village Council President-in a chhinchhiahna lehkhabuah chuan hming a zia kin ang a, chu lehkhabu chu Village Council Secretary chuan a vawng ang.
3. Village Court chuan Pawi-Lakher khawsak dâna buainaah chuan a thu zirin awm tawk a tih ang zelin, a chawitirin a rel \hin ang. Pawi-Lakher Regiona hnam dan huam chhungah chuan Pawi-Lakher Autonomous Region (Administration of Justice) Rules (Second Amendment Act, 1959 chang 2-na) thu angin Village Court chuan Rs. 60/- aia tam tumah a chawitir thei lovang.
4. Village Court chuan heng thu lian bik
 - (1) Tualthah thu
 - (2) Hmeichhia tihsualtuma pawngsual
 - (3) Puitling lo mutpui

(4) Mawngkaw luk

te ang hi chu a ngaihtuah thei lovang.

Amaherawhchu khitiang thil te khi a lo awm chuan Village Council President-in ngaihtuah theitu hnenah an report tur a ni.

5. Tupawh rorelna (Court) zah lova awm te chu Rorelna Court-in awm tawk a tih angin a chawitir thei ang.
6. Village Court-in lei a chawitir pe duh lotu chu, a lei chawitir zat hu tawk tura a neih apiang, Village Court chuan a laksakin a peksak thei ang. Lei chawitu chu mi luhkhung leh thuawi lo a nih chuan, Regional Council Court-in a phut chhuahsak thei ang.
7. Village Council hranga mite inkhinna chu Village Court-in a ngaihtuah thei lova, chutiang thu chu Regional Council Court-ah thlen zawk tur a ni.
8. Village Court-a thurem tawha lungawi lote chuan an vuina thu, Regional Council Court-ah an sawi nawn leh thei (Appeal) ang. Regional Council Court thu rema la lungawi lo fo te chuan Assam High Court-ah an appeal thei ang. Amaherawhchu, High Court-a thubuai thlen turin thubuai chu a lian tawk tur a ni.

Chutianga appeal duhte chuan thubuai rem ni a\anga ni 60 chhung ngeiin an appeal tur a ni, chumi hnu lamah chuan engmah sawi theih a ni lo.

BUNG II

9. KHAWPER : Executive Committee thu lovin Village Council-in khawper a siam thei lo, phalna lova Khawper siam hremna mawh phurtu chu, Village Council President a ni. Chutianga lo siam rutu chu Regional Council Court-in Rs. 100/- thleng a chawitir thei ang.
10. VILLAGE COUNCIL RAMRI LUNGPHUN : Phalna nei lova Village Council lungphun sawn chu nasa taka hrem tur a ni. Rs. 100/- chawi thlenga hrem theih a ni.
11. TUIKHUR : Tui kang laia tui kang nghak inhau buai nasate chu a thiam lo zawk Rs. 50/- thlenga chawitir theih a ni ang. Tuikhur thleng hmasa apiangin an thal hmasa ang a; mi pakhatin mahni zawh tawk aia tam a thal tur a ni lo. Village Council-in tuikang hun chung rei zawng chu a rel ang.
12. CHIKHUR : Chikhur reng reng tumahin an hauh bik thei lovang; Regional Council ta a ni.
13. RAMCHHUAK LEH SAPEL : Ramsa humhalh dân thupek chuang a liam chu ramsa kah khap a ni lo. Sa kap apiangin Silai neitu hnenah a bawp a pe tur a ni. A pek lohva a buai chuan Rs. 20/- thleng chawitir theih a ni ang.
14. PEM : Pem chuan a in leh lo leh a thil neih dang eng pawh, a hralhin emaw, a pe emaw thei ang. A hralh hmaa a kalsan te chu amahin a enkawl zui si loh chuan enkawltu fel tak a siam ang a, enkawltua a siam chuan ama ta ang chiahin a enkawlsak leh a mawhphurhsak a remti tih, Village Council President hnenah ziakin a pe ang a, chumi lehkhaah

chaun a neitu leh a enkawltuin an hming an ziak ve ve ang. Khitianga tih loh pemsan thilte chu a pem a\anga thla ruk hnuah Village Council-in khawtlang tana \ha tur ang berin a thehthang ang.

15. |AWM KAI LO : Mi piangsual, mi ang lo, mi â pawikhawihin lei a kuai lo, chutiang \awmkailo anga ngaih chu mihring pangngai anga ngaih loh an ni. Mi â hlauhawm lam pang an nih erawh chuan, an chhungten an enkawl tur a ni a, pawl a khawih chuan a chhungten an tuar ang. Amaherawhchu, mi â \awngkam maiah chuan chawina a awm lovang. Chhungte nei lo a nih chuan Village Council-in a enkawl dân an ngaihtuah tur a ni. Mi â hlauhawm chi; mi tihnat chingte chu miin nghaisa sela, lei a kuai lo. Tin, mi â ni lem lo, mi aia nungchang dang lam ringawtte pawl khawihna chu a thu a zirin a pawikhawihna chu ngaihtuhsaka chawitir theih a ni ang. Tin, chutiang mite chung a kutthlaka lo nghaisatute pawh a thu a zirin hrem theih an ni bawk ang. Tin, mi â chuan, mi pawh tihnat a tum hranpa lem lova, mi dangin a cho chhuah thinrima a ngaisak leh si chuan a nghaisatu chu hrem tur a ni.

Mi \awm kai lo chin chu Village Council-in a thliar ang.

(1) Pawl khawih thuah :

- (a) Mi â, a pianphung, taksa lamah chuan eng ang pawh ni se, a rilruin mi a tlin chuan \awmkai lova chhiar theih a ni lo. A pianphung kim lohnate ngaihtuahin a pawl khawih hremna erawh chu tihnep theih a ni ang.
- (b) Mi, a taksa lamah a pianphung fel mah se, a rilruin mi a tlin loh chuan \awmkai lovah chhiar

theih a ni lo. A thiltih sual awmzia azirin hremna a tawk fang siam theih a ni.

(2) Hnatlang thuah :

- (a) Mi, a rilru lamah mi tling ni mah se, a taksa lamah hnathawk thei lo a nih chuan \awmkai lova chhiar theih a ni. Mi kum 60 a chin chung lamte chu chutiang mite zinga chhiar an ni.
- (b) Mi a rilru lamah mi tling lo a nih chuan a taksa mi ang ni mah se, \awmkai lovah chhiar theih a ni. Amaherawhchu, a tih theih tawkah chuan, hman ve theih a ni, hremna lam erawh chu len theih a ni lo.

16. KHAW KAR KAWNG :

- (1) Village Council-in a ram chung khaw kar kawng a enkawl \ha tur a ni. A theih chuan ran kal theihna hiala zau leh \hain siam an tum hram hram tur a ni. Khaw kar kawng sahnaah Regional Council emaw Village Council emawin awlna a pek chauh lote chu tumah awl theih a ni lo. Awl phalna nei si lova thawk duh lote chu hnatlang thawktuten a hunbi azira hu tawkin an rûn thei ang a, an rûnna sum chu hnatlang thawktute remtihnaa hman theih a ni ang. Sawrkar bial kawng bik a nih chuan inrûnna sum chu khawtlang \hatna atan Village Council-in a dah \ha ang.
- (2) Khaw kar kawng fai tak leh \ha tawk taka vawng lo kuate chu Village Council leh vantlangin a awm tawka hrem theih an ni ang.

17. THIRDENG :

- (1) Khaw tinah a duh apiangin Village Council hriatpuiin pûm an bun thei ang. Khuua mite chu an duhna apiangah an kai thei bawk ang. Thirdeng hlawh chu a ruaitu nena an inbiak rem dân ang a ni ang.
- (2) Village Council-in khuua mite tana harsa dawna an hriat chuan khawtlang tan rate an siam thei ang, rate chu ziakin an vawng tur a ni.
- (3) Pûm in hmun tur chu Village Council-in a pe ang.

18. KHAMKHUAI : Khamkhuai awmna ram Village Council chu a thuneitu an ni. Village Council chuan a lak ni tur an rel ang a, chu chu tlangauin a puang ang. Village Council-in a lak ni tur an puan duh loh chuan a duh apiangin an la thei ang.

19. KHAWTHAR KAI : Khawthar kai emaw khaw hmun sawn emaw duh khua Village Council te chuan Executive Committee hnenah an dil tur a ni.

BUNG III

NUPUI PASAL INNEIH DAN

20. Nupui Pasal inneiha ngaih chu palai hmanga mipa leh hmeichhe chhungte inbe rem a, inneihtir theituin a neihtir hi a ni. Inneihna chu dânin a tuk angin register ngei tur a ni.

21. MAN :

- (1) Pawi leh Lakher dânna inneihna reng rengah a mipa lam leh hmeichhe lam te inremna ang angin man a awmin a awm lo thei ang; man a awm chuan eitu chu pa a ni. Tin, nu'a emaw laichin bul ber apiang an ni leh a.

- (2) FALAK : Hmeichhiain pa hriat loh fa a lo pai chuan pu fa a ni ang. Hmeichhia a nih chuan a man Rs. 60 a nuin a ei ve ang. A thuam nan a nuin engmah a seng lovang a, a lawi nan a pu emaw, a man eitu tur apiangten sen \ul chu an sengin an thuam tur a ni. Mipa a nih chuan a duhna apiangah a awm thei ang a, a awmna apiangten nupui an neihsak ang.
- (3) Pawi leh Lakher inneihna man hi hmun hnihah \hen a ni : Mantung (Manpui) leh Man\ang.
- (a) Mantung emaw Manpui : Hei hi a bi thliah awm chuang lovin innei turte chhungte inbiak remna ang zat zel a ni ang.
- (b) Man\ang pawh hi a bi thliah awm chuang lovin innei tur chhungte inbiak remna ang zat zel a ni ang.
- (c) Pusum hi mang\ang zinga mi chu a ni na a; mahse a hrang deuh a ni. A bi thliah awm chuang lovin tun hmaa mahni pi leh pute kal dân ang zela kal mai tur a ni.
22. SEHRUI SAT CHAT : Tupawh inneih tumin inpeih vek hnuah mi dangin neih tumin lo \hulh ta sela, “Sehrui sat chattu” tih a ni. Sehrui sat chattuin nei leh duh si lo sela, Rs. 60/- a chawi ang.
23. KHUALKAI : Nula, khawdangah pasal nei sela, “Khualkai” tih a ni. Khualkai man hi a petu leh a dawngtute inbiak remna ang a ni ang.
24. FAN : Pawi leh Lakher danah fan leh luhkhung a hrang chuang lo. Mipa hmeichhe ina lut emaw, hmeichhia mipa ina a lut emaw, fan a ni vek a ni. Hmeichhiain mipa fan

sela, mipain lo mutpuiin nei leh duh si lo sela, Rs. 30/- a chawi ang.

25. TLAN DUN : Nula leh tlangval chhung te rem tih lohva inneih duh siin tlan dun sela, induh ve ve lunguala tih an nih avangin chawi a awm lovang.
26. MAN BO : Pawi leh Lakher danah intuithlarnaah chauh lo chuan man bo hi a awm thei lo, chhungte remtihna a nih chuan man bo hi a awm thei, Hmeichhia fanu fapa nei tawh; sum chhuahin kal sela, sum pek vek tawh hnuin lunglen vangin emaw, fate ngaih vangin emaw lut leh duh ta sela, chhungte remtihna man bovin a lut thei. Lut leh a nih chuan a chhungten a man an \hing thei lovang; a thuam erawh chu an hlip thei a, an tuithlar thei bawk. Ban man pawh phut theih a ni lo. Uire emaw pawh man bovin luh leh theih a ni. Man bo thua hian thuam inhlisak leh intuithlar mai lo chu kawng dang a awm chuang lo. Amaherawhchu, mihring zingah inngeih leh hun te a awm \hin a, chumi hunah chuan man chu a awmzia dân ang zel a zirin inrulin inneih leh theih a ni zawk \hin.
27. SAZU MEIDAWH : Sazu meidawh hi man lova insawi rem ta mai, mi \henkhatte in\hen dân chi khat a ni a, mipain emaw hmeichhiain emaw a inning hmasa apiangin dawh san theih a ni. Hetiang hi nu leh pa kara mite zingah chuan a vang hle a, hmeithai fate zingah a awm duh bik. Mipain sazu mei dawh sela, ama thua chhuak a nih chuan engmah a chhuahpui thei lovang. Hmeichhiain a hnawtchhuak a nih erawh chuan fa leh a ken luh zawng a chhuahpui thei ang.
28. HMEI : Hmei hi nupui tak nen man lamah leh in\henna thua thu hmun vek a ni, engmah lem chuanna a awm lo.

29. NUPUI PAWI KHAWIH :

- (a) Rukruk lam : Nupui pawu khawih hi a tuartu thu awmziain a zir tur a ni a, chu chu a \hen pasal tuar, \henkhat man eitu tuar a ni ang. Chutiang bawkin a chungah miin tuama nei sela, pasalin a ei tur leh m an eituin a ei tur a insiam hrang a ni. Hmeichhe pasal nei laiin \ingthul ru sela, a pasalin a tuar ang a, a tuama zat apiang chu man a su hek ang. \ingthul tih loh buh emaw, buhfai emaw, tangka emaw pawh lo ru sela, chutiang vek chuan a kal ang. Lung in tanna tham a nih erawh chuan a khawih pawitu ngeiin a tuar tur a ni.
- (b) Uire leh hurna lamah : Hmeichhe Uirein emaw, suahsualna lamah miin puhin a puhtuin lei chawi sela, nu\ain emaw, man eitu apiangin hmuh a ni. Lawithlem hnute deh leh zen emaw, pawnfen zar kawngah miin lei chawi sela, nu\ain emaw, man eituin emaw an hmu ang. Huma lam kawng tih loh suahsualna kawng dangah hmeichhia miin puhin a puhtuin lei chawi sela, a pasalin a tel ang.

30. MAN AIA CHAWM : Man aia chawm hi inchawm hlum loh chuan man tlak theih a ni lo. Amaherawhchu, a chawma a lo thih hma chuan a tlak hmaa ngaih a ni a, a thih har chuan a chawm rei a ni mai bawk.

Inngeih lohna avangin hnawtchhuak sela, kum thum chawm tawh a nih chuan Rs. 60/- tlak a ngaih chauh tur a ni a, a bak chu chawi a ni ang. Kum thum chawm tawh a nih chuan engti kawng zawng pawhin in\hen sela, Rs. 60/- tlaka ngaih a nih avangin, fa an neih chuan mipain a chang ang. Hmeichhiain a hnawtchhuak a nih chuan an inneih hnua an thil deh chhuah sum chu an insem ang.

Sum chhuah emaw, uirena avang emawa in\hen an nih chuan sum chhuahtu chuan a luhpui, ama bungrua leh a thuam chu a chhuahpui thei ang a, uire a nih erawhchuan engmah a chhuahpui thei lovang. Kum thum lo chawm tawh a nih chuan mipa hnenah Rs. 60/- pek kir tur a ni. Ro insem thua an pi kha la dam a nih chuan bungbel a chang ve thei ang.

31. NUPUI TLAN KOHNA : Nupui nei laiin nula nei duhin intiamin a nupui ma sela, nula chuan inneih duh leh ta si lo sela, nupui tlan chu Rs. 60/- in a kohsak tur a ni. Nupui hawng duh ta chuang si lo sela, sumchhuah a ni thei lovang. Hetianga inkohna tangka hi a rang thei ang bera inpek tur a ni. Tlan kohna Rs. 50/- hi mana chhiar tel a ni lova, fanghma no eia ei ral mai tur a ni.
32. HMAI TLAM : Hmai tlam hi ngaihdam dilna ang deuhva hman a ni a, nupui tlan kohnaah an hmang deuh ber. Hei hi a zat tuk awm chuang lovin inrem theih ang anga siam mai tur a ni.
33. KUT ZALA TLA : Man bat kawnga kut zala tlak hi Rs. 30/- chawina a ni.

BUNG IV

IN|HENNA DÂN

34. MA EMAW MAK : Tu pawhin nupui ma sela, mak hnuah man ba pek a ngai tawh lo. Amaherawhchu a puin a delh hman tawh a nih chuan pu man chu a chawi tho vang.
35. SUMCHHUAH : Hmeichhia sumchhuahin kal sela, a thuam leh bungrua a chhuahpui ang a, man pek sa zawng

zawng a kir tur a ni. Silai a chhawm chuan chu chu a chhuahpui thei bawk a, amaherawhchu an awm dun laia an lo ei ral tlan tawh chuan engmah a sawi thei loh.

36. HMEICHHE BUNGRRAW LAK : Hmeichhe bungraw lain mipa bungrua lo la palh sela, a pe kir leh mai tur a ni. Chawi a awm theih lo.

Amaherawhchu, rukru tih ngam khawpa thil tak tak deuh te lak a nih chuan a ngaihtuah dân a hrang thei ang.

37. SUM LAITAN : Sum laitana in\hen hi ngam leh ngam tihna a ni. A tu ve ve mah sum laitandin in\hen luihtir theih a ni lo. Sum laitan hian manpui leh man\ang a huam tur a ni. Pasalin man tam zawk la ba ang sela, man zawng zawng zat ve chiahin a chanve chhehin a chanve pek turah khan a pek tawh zawng zawng chu a paih ang a, a la bak chauh chu a rul ang. Chutichuan, man a vaiin Rs. 100/- ni ang sela, Rs. 30/- lo pe tawh a nih chuan Rs. 20/- a pe leh ang. Tin, a vaiin lo pe tla tawh a nih chuan a zat ve chu a hmu kir leh ang. Man\ang pawh hetiang bawka relbawl tur a ni.

38. PASAL AWM LOH HLANA CHHUAK : Hmeichhia, a pasal ram dangah kalbo ta sela, emaw thil dang avang reng reng pawhin kal bo ta sela, chumi hlan chuan ama thuin chhuak sela, sumchhuah a ni ang. Amaherawhchu a pasal chungte nena inngeih loh avanga chhuak a nih chuan sumchhuaha ngaih tur a ni lova, a thu awmziain a zir ang. Mahni in lama nghak duh a nih a, a pasalin rem a tih chuan a nghak thei ang. Amaherawhchu, a pasal a lo hawnin a nghahnate chuan hah man engmah an sawi thei lovang. Tin, a pasal chuan a lo hawnin hruai duh lo sela, ma a ni ang. A hmeichhia haw duh lo a nih chuan sumchhuah a ni ang.

Dam chhung lung in tan avanga a pasal chu thangbo a nih erawh chuan hmeichhia chu a duhna apiangah a awm thei ang.

39. ATNA AVANGA IN|HEN : Nupui pasal inneih rem hnuin mi lo â ta sela, hetiang hian tih tur a ni. Hmeichhia â ta sela, kum thum enkawl tur a ni. Kum thum hnua at reh lo a nih chuan peksa changin a kaltir thei ang. Kum thum hmaa kaltir a nih chuan ma anga ngaih tur a ni. Tin, mipa lo â ta sela, hmeichhiain kum thum bawk a enkawl ve tur a ni. Chumi chhungin a ât reh lo sela, peksa changin a chhuahsan thei ang. Kum thum hmaa chhuahsan a nih chuan sumchhuah a ni ang.
40. HMEICHHIA A PASAL CHHUNGTEN AN MA THEI LO : Hmeichhia a pasala chhungten an ngeih loh avangin maksak a awm \hin a, hei hi dan a ni lo. Nupui chu pasal chauh lo chuan an ma thei lo. A pasal awm loh hlanin a chhungten kaltir sela, a pasal chu a lo hawnin a ko leh tur a ni. A lo hawn duh loh chuan sumchhuah a ni ang a; tin, pasalin a koh duh loh chuan a ma a ni ang.
41. ZANGZÂW : Mipa thei lo hi hman lai chuan hun tiamin puithiamin enkawl a ni \hin. Tiamna a awm loh chuan thla thum chin an nupui pawl thei lo a la nih fo chuan nupui chu, peksa changin a kal thei. Intiam hun nghak lova, kal a nih erawhchuan sum chhuah a ni.

Tin, intiam hun chhungin pasal dang nei sela, emaw, ngaih nei sela, uire a ni. Tun lai thleng hian mipa thei lo enkawl hi chin a la ni fova, amaherawhchu Puithiam enkawl aiin damdawia enkawl a ni ta zawk. Hmeichhiain a pasal thei lovah puh sela, pasal chu \ang si sela, an mu dun hnuhma fiah tur a ni. Tin, lo mipa thei a nih si chuan hmeichhiain Rs. 60/- a chawi ang.

42. CHHUPING : Hmeichhia vanduaina avanga chhuping thla thum inenkawl tawh hnua pasal mutpui thei lo a nih fo chuan sum pekxa zawng inzat semin a chhuak thei ang.
43. UIRE : Uire hi hmeichhe sualna tawp ber a ni. Pasal nei reng chung a mipa dang pawl hi uire a ni. Uire chuan man a chhuah vek ang a. Thuam leh bungrua a vaiin a tang baw k ang. Uire-tu chuan phunthawh leh vaw kpa sumnga a ran ngei a pek tur a chaw i ang a, hmeichhe nu'aten an ei ang.

BUNG V

INGGAIH THU & FA TLANNA

44. SAWN : Pawi leh Lakher hnam dânah Sawn man a awm lo. Mipain hmeichhe hnenah Sawn a thlak chuan nau pian hnua h mipain Rs. 60-in fa a tlan thei ang. Mipain hmeichhia chu nupuia neih nghal a duh chuan fa tlanna Rs. 60 hi manah a ring nghal thei ang. Sawn pai chungin nulain pawl dang nei sela, fa tlanna a ngai lovang. Nulain mi pakhat aia tam pawl neiin pa tur hriat theih a nih loh chuan pu fa a ni ang.
45. KHUMPUI TIHBAWLHHLAWH MAN : Hmeichhia leh mipa mi khumpuiah mu dun sela Rs. 30/- leh salam chawitir tur a ni. Khumpui tih hian chhungkua nu leh pa ber leh nupa kawpchwaw khum a huam a, tin, hmeithai leh parawl khum pawh, chhungkaw puipa ber an nih chuan a huam ang. Mipain Rs. 30 an chaw i ang a, hmeichhiain salam a chaw i ang.
46. KHUMPUI KAI MAN : Khumpui kai man hi Rs. 30/- a ni ang. Amaherawhchu, khumpui a kai fel chinchiah kha chhiar a ni ang. Khumpuiah ngei man tur a ni a, hmun

dangah a ni thei lovang. Man tih hi man beh chiah kher a ni lo.

Hmeithaiin khumpui kai man sela, tun hmaa lo inggai fo tawh a, mipain a neih duh loh thu a hriat avang mai a man a nih chuan tlangval chu hrem theih a ni lovang a, inggaih hremna dân pangngai angin a kal zawk ang.

47. FA TIHBAWLHHLAWH MAN : Hmeichhe rai laiin a pasal nena an in'hen hnuin mipa pawl dang nei sela, chumi pa leh hmeichhia chuan Rs. 60/- an chawi ang. Rs. 30/- ve vein Pasal nei reng chung a rai lai uire a nih erawh chuan hmeichhiain Rs. 60/- a mal chawi ang. Nula rai lai tlangvalin pawl sela, an pahnihin Rs. 30/- ve ve an chawi ang a, a rai hmasatu tlangval hnenah an pe tur a ni.
48. LAWITHLEM : Mi tupawh minu, a pasal lema changin lawithlem sela, lawi thlemtu chuan hmeichhe chungte hnenah Rs. 100/- a chawi ang.
49. THLIM : Miin mi nu thlim sela, lawi thlem ang bawk tur a ni. Rs. 100/- chawitir tur a ni. Nula leh nuthlawi thlim erawhchu Rs. 60/- chawitir tur a ni.
50. INTIAM : Nula leh tlangval inkarah emaw, pathlawi leh nula inkarah emaw, intiam a awm thei lovang, intiam avanga chawi pawh a awm thei hek lovang.
51. HNUTE DEH : Nula hnute pawng dehin lei a kuai thei a, Rs. 10/- thleng chawitir theih a ni.
52. RAI ZEP : Hmeichhiain rai chungin Pasal nei sela, nakinah a pasalin a rai chu hria sela, a hnawt chhuakin a man peksa chu a phih chhuak leh thei ang. Tin, chutiang khera hnawt chhuak duh lo a nih chuan, Village Council President hriattirin nau pian thlengin a awmpui thei ang. Nau a

lo pian chinah erawh chuan a hnawt chhuak thei ang a, man a la kir thei bawh ang. Tin, nausen pain “ka fa a ni e” tia nei duh a nih chuan, a nei thei ang a, fa tlanna leh fa tihbawhhlawh man a awm lovang. A nuin nausen pa a puan duh loh emaw, nausen pain a tlan duh loh emaw chuan pu fa a ni ang.

54. NGAIH LOH ZEN : Hei hi Rs. 60/- thlenga chawitir theih a ni.
55. PUANFEN ZAR : Hmeichhe pawnfen zial \hat emaw, thleh \hat emaw, dah phelh a, zar emaw chu Rs. 30/- thlenga chawitir theih a ni.
56. MI NU THLEM : Mi tupawhin minu beiseia tihsual tuma thlem chu hmeichhiain a puana thuchhia a tan a siam chuan Rs. 30/- chawitir theih a ni ang.

BUNG VI

THUPUI AWM THEIHNA DANGTE

57. INSUAL : Pawi & Lakher Region chhungah tun lai chuan a naranin insual a awm em em lo. Zu hmunah erawhchuan insual a awm zeuh zeuh \hin a, mahse \henrual \haten an chelh \hin avangin insual \hat theih a ni lo. Insualna a lo awm chuan an thu awmzia a zirin Rs. 5/- a\anga Rs. 50/- thlenga chawitir theih a ni.
58. INVELH : Mi tupawhin inhau leh incho pawh awm lem lova, mi a velh chuan Rs. 5/- a\anga Rs. 50/- thleng leh salam chawitir theih a ni.
59. NUPUI PASAL INVELH : Dân naranin nupui pasal invelhin lei a kuai lo. Amaherawhchu, tupawhin nupui velin a nupui chu mi inah tlan lutin a pasalin umzui sela, chumi

zah lova, bei luiin, in neituin thisen chhuak khawp pawhin lo nghaisa sela, lei a kuai lovang.

60. IN AU DUHDAH : Mi zah pah lova, miin tupawh a auh duh dah chuan Rs. 5 a'anga, Rs. 50/- thleng chawitir theih a ni.
61. NAUPANG INSUAL : Naupang insual naranin lei a kuai lo. Naupang dang vel sela, a velha chu a pain emaw, a chungte dang puitlingin rawn chhanin a veltu chu vel ve thung sela, dân naran a nih loh avangin a thu awmzia a zirin Rs. 50/- thlenga chawitir theih a ni. Heta naupang tih hi kum 12 chin hnuai lam a ni.
62. THINURA INLUHKHUNG :
- (a) Luhkhung hi mi ina hauh leh velh tum ngawta thinur saa luh hi a ni. Chutianga mi luhkhung chu Rs. 20 chawitir theih a ni. In neitu pa emaw, a chungkua tupawh chung a kut thlak phei chu a thu awmzia a zirin Rs. 100 thlenga chawitir theih a ni ang.
- (b) Mi tupawhin mi dang an inchhungah ni lo mi dang inah luhkhunga insual tuma inhauvin in neitupain hnawt chhuakin chhuak duh lo ve ve sela, Rs. 10/- ve ve an chawi ang. Tin, pakhat chhuakin pakhat chhuak duh lovin buaina la siam zui sela, chumi chuan Rs. 20/- a chawi ang.
63. MI NGAITHLA LEH BIHRU : Mi thuruk sawi a ruka ngaithla chu Rs. 50 thlenga chawitir theih a ni, mi bihru pawh chutiang bawh chu a ni.
64. RUKRU : Rukru chu a thil ruk leh a awm dân angin lei chawitir tur a ni, a thil ruk pawh pek kirtir emaw, rulhtir emaw, theih a ni. Rukru lei chawi chu a reltu ngaih dân ang angin a Vhen emaw, a zain emaw Regional Council Fund-ah emaw a ruksaka hnen emaw, pek theih a ni. Dân

naranin thil hlohtu khan a hloh hu a hmuh chuan a ruk saka hnenah pek a ni lovang.

65. PHIL : Ran leh ui ar phil chuan a neitu hnenah a hu a rul tur a ni. A phil manah chuan hremna Rs. 5/- a\anga Rs. 100/- thlenga chawitir theih a ni. Hremna lei chawi chu Regional Council Fund-ah a lut ang. Ramsa leh sava khawi pawh ran leh ui ar a ngaih a ni.
66. THANG ÂWK LA RU : Thang awk la rutu chu a lak ruk hu chawitir bakah Rs. 50/- thleng a chawitir theih a ni. Thang âwk sawn chu ru a ni. Thang âwk la ru chawitir hi Regional Council Fund-ah a lut ang. (Thang tih hian thang chi tinreng a huam).
67. HMINGCHHIAT MAN : Tupawhin thil dik lovah mi dang tupawh \awngkain emaw ziakin emaw, tihmingchhia sela, Rs. 50/- chawitir theih a ni. Hmingchhiatna hian mi nu uire-a puh emaw, nula tlangval ngaia puh emaw, tupawh suah sualna lamah rukru, dawithiam, khawhringnei, phungzawl leh thildang hmingchhe thei zawnga inpuh a huam vek a ni.
68. KAMTAM MAN : Miin thil sawi \ul lo mi huat zawng sawi sela, Rs. 5/- a\anga Rs. 20/- thleng chawitir theih a ni. Thu mu hnu sawi \ul lo sawi te hi kam tama ngaih a ni.
69. TALH PALH : Tupawhin mi ran vulh talh palh sela, a ruang chu a hlawm ang a, ama ran chu a aiah a pe thung ang a, pal huang siam nan Rs. 5/- a pe bawk ang. Talh palh a chu lian zawk ngei a nih chuan a inlen hleihna ang zia zelin a neitu zangna a dawm ang.
70. RAN INSUAL : Ran vulh fuih lohvin insualin thi ta sela, tumah mawhchhiat theih a ni lo. A neituin a ruang a hlawm

mai tur a ni. Fuih avanga insuala thi emaw, sil awng emaw a nih chuan a fuihtu chu a thu awm dân ang anga lei chawitira hrem theih a ni.

71. CHAWM MAN : Chawm man hi awm lo tura ngaih a ni. Amaherawhchu hretu fel tak awma intiam emaw, inremna emaw awm a nih chuan an intiamna leh an inremna ang chuan ngaihtuah theih a ni ang. Chawm man tih hian \hat man pawh a huam a ni.
72. KAWI : |hian hi kawi a ni. Kawi leh kawi a ler lakah ban man emaw, in\anpuina emaw, rulh leh a awm thei lo. In ban hlenin kawi dang zawn chawp leh mai a ni.
73. INTUITHLAR : Intuithlar hi in mi hranna ber a nih avangin leiba um emaw man in eisak theih lova hnuah ro pawh inkhawm sak theih a ni lo. Intuithlah chuan hriatpuina fel tak ziak ngei a awm tur a ni.
74. BAN MAN :
- (1) Pawi-Lakher Region dânah ban man, a awm thei lo. Unau ban man, famu ban man, pa ban man, ni ban man a awm thei lo. Unau farnu leh pa leh fa emaw, laichin dang reng reng inban mah se, intuithlar ang chauh a ni a, thil inpek chhuh leh sak leh silhfen inhliahsak lo liam a dang a awm thei lo. Hetiang hian hrilhfiyah ila :
- A-a fapa B-a, a pa chawm duh lovin a tlan chhuak a, chutichuan a pa chu a mihran a ni. A-a hian B-a nupui manah Rs. 80/- a lo pe tawh a, chu chu a la kir thei ang a, ban man erawhchu sawi theih a ni lo. Inbulbalna lo reh sela, intuithlar ang a ni a, A-a hi thi mah se, B-an ro a luah lovang.

- (b) A-a leh B-i unau an ni a, A-a remtih lohvin B-i hian pasal a nei a, a man hawng hmasa chu a tel a, tin, chumi hnuin inngeih lohna avangin B-i hian a man chu mi dang C-a a eitir a. Chutichuan B-i hian A-a hi a mihran a ni. A-a hian nu\ a ban man sawi sela, nu\ a ban man dan a nih si loh avangin B-i \ing thul leh thuam emaw, bungrua a chhuhsakin a tuihlar thei. Miin a ban taka nupui lei sak sela, emaw, a ban takin thuam siamsak ni sela, chumiah chuan a lo sen tawh zawng chauh phut chhuah leh tih loh chu ban man sawi theih a ni lovang.
- (2) Unau pianpui bulbal nei lo chuan unau zawn chawp a ni a, hmeichhiain mahni manin nu\ a an zawng chawp mai \hin, chutiang chu nu\ a zawn chawp tih a ni. Hetianga inzawn chawp thua hian inban thua unau tak tak te nena inban nen a inang reng, ban man a awm thei lo. Hetianga inban hi intuithlar a ni zawk a, thil inpuihna inlaksak leh tih loh chu intihna dang a awm thei lo.
75. PU BAN MAN : Pu ban theih a ni lovang a, in mihran leh intuithlar pawh a theih hek loh.
76. THAM : Tupawhin thamna ei sela, a eitu leh a thamtu hrem theih a ni. Thamna eia inpuh hi chian theih a ni si loh chuan hmingchhiat man sawi theih a ni.
77. RAN VULH PAWIKHAWIH : Thil awm dân ang zelin ngaihtuah theih a ni. A \ul chuan ran dek ral tura intih pawh theih a ni. Ran vulhtu luhlul leh pawisak nei lo chu ran deh ralsak theih a ni ang. Hralh a nih chuan talh atan chauh hralhsak tur a ni. Thu awmdan ang ang a zirin a man a chan thei bawh ang.

78. RAN VULH MIHRING CHUNGA PAWIKHAWIH : Sial emaw, Bawngin emaw mihring tihlum sela, mihringin anchhaih hmasak lohzia hriat chian a nih chuan, a tihlumtu ran chu talh ngei ngei tur a ni a, tin, a ron neituin Rs. 50/- in a ral tur a ni a, Puan in a ruang chu a tuam bawk ang. Mihringin a chhaih hmasa a nih erawhchuan tual thi a ni. Ran neituin Rs. 30/- in a ral ang a, a ruang chu Puanin a tuam bawk ang. Ran pawh chu tihlum tho tur a ni. Ranin chhaih lohva mihring a tihnat chuan a \ul anga hriatin ran chu tih boral theih a ni. Jula hriat a nih chuan ran neitu chu zangna dawmna inpektir theih a ni. Vantlang tana hnawksak khawpa ran kawlh chu tihbo-raltir tur a ni.
79. UI : Ui pawikhawihin lei a kuai lova, ei ruk ching te chu a beng emaw, a mei emaw tan sak tur a ni, a thah pawh that sela, lei a kuai lo. Ui insualnaah mihring lo tel kher sela, sehhlum sela, ui neitu hovin Rs. 50/- in an ral ang a, a ruang chu puanin an tuam bawk ang. Ui seh naran mai chuan lei a kuai lo. Amaherawhchu, ui kawlh, mi tana hlauhawma lang, a neitute hnena tiboral tura mipuiin an hriih a, chu chu pawisa lova, chu ui chuan mi a seh chuan lei a kuai thei ang. Ui kawlh emaw, mihring leh ran seh hmang chu tihboral ngei tur a ni. Ui â chu rang taka tihhlum ngei ngei tur a ni.
80. UI FING : Ui fing ram chhuahnaa hliam hlum palhin lei a kuai lovang. Ui fing vanga sa kah a nih chuan a khaw vantlang lo inhman dân ang zelin ui neitu chanvo siam tur a ni.
81. RAN MAWNG DAWM : Ran pui mawng dawmna dân naranin Rs. 30/- a ni a, mahse khuaa ron to dan ang zelin a danglam thei. No a neih a'anga thla li chungin a khel ben tur a ni. Khel ben hmain thi sela, a dawng rih mai a,

a tla leh nghah tur a ni, a tla zat chin erawhchu an intiamna a zir a ni ang. No vawi thum neih thlenga khel ben hmaa riral fo ni sela; a mawng dawmtuin a dawmna zat ve a hmu ang. Tiam hun chungin ran neituin a ran chu ti riral sela, dawmna a kir tur a ni. Vanduai thu hlaa lo riral a nih erawh chuan vanduai tlan a ni mai.

82. RAN VULH HLAWH : Ran reng reng vulh hlawh theih a ni a, amah erawhchu, dân naranin kel, vawk leh beramte mawng dawm a awm lo. Vulh hlawhah hian insem dân tur chu anmahni inremna dân ang ang a ni.
83. RANPUI VULH NGHAIISA :
- (1) Ranpui vulh, sebawng, sial emaw, lawi miin thi khawpin nghaisa sela, a neituin a ruang a hlawm ang a, a nghaisatu chu Rs. 50/- a\anga Rs. 200/- thleng chawitir theih a ni ang, chu chu ran neituin a ei ang.
 - (2) Miin, sakawr thi khawpin nghaisa sela, a neituin a ruang a hlawm ang a, a nghaisatuin a ran man zat ran neitu hnenah a chawi ang. Tin, a suahsual manah Court-in Rs. 50/- thleng a chawitir thei bawk ang a, chu chu Regional Council Fund-ah a lut ang.
 - (3) Miin, ranpui vulh thi khawp lem lovin, nghaisa sela, a tihnat dân a zirin Rs. 50/- thleng chawitir theih a ni ang a, chu chu Regional Council Fund-ah a lut ang.
 - (4) Ran vulh thanga awk chu a neituin a ruang a hlawm ang a, thang neituin zangna dawmna Rs. 20/- a pe tur a ni. Hrilh duh lova zep bo tum a nih chuan ran man chu a chawi ang a, a sual man Rs. 50/- a chawi bawk ang, chu chu ran neitu ei tur a ni. Tin, dai hnai deuhva thang a nih chuan, thang neituin ran man a pe ang a, a sa an insem ang. Hrilh duh lova zep bo tum

a nih chuan ram hlaa thanga awk ang bawka ngaih a ni ang.

- (5) Ran tê nau, vawk, beram leh kel te nghaisak chu thi khawpa nghaisa a nih chuan a nghaisatu chu Rs. 20/- emaw, a aia tam emaw, chawitir tur a ni. Chu chu ran neituin a ei ang a, a ruang a hlawm bawk ang.
- (6) Ran tê nau, thanga awk chu lei a kuai lova, amaherawhchu, thang neituin zuin emaw, thil dang hmuam lumin a ral tur a ni. Chutianga lungchhiatpui der duh lova, ngawi bo mai te chuan Sial leh Sebwang leh ran lian dangah Rs. 20/- in zangna a dawm tur a ni a, Kel, Beram leh Vawkah Rs. 5/- a zangna dawm tur a ni. Thang kamna hmun a zirin hremna tihdanglam theih a ni.
84. RAN CHUANG : Khawi khuaah pawh khawii hmunah pawh ran vulh chuang awm sela, Village Council-in ran chu a chuang a nihzia a zau thei ang berin a hriattir tur a ni. Tin, thla thum chhunga fel tak leh chiang taka chuh leh puala vulhtu an awm loh chuan Village Council Fund atan an dek ral thei ang.
85. AR NGHAISAK : Miin ar nghaisa sela, a thih chuan a ruang chu a nghaisatuin a nei ang a, Rs. 1/- a'anga Rs. 5/- thleng chawitir theih a ni ang. A thih loh chuan a tiat ar dangin a rul tur a ni.
86. KANGMEI : Kangmei tih hian mei chhuah leh ram tih kan a huam a ni. Ram tikangtu chu a kan chhiat dân a zirin Rs. 5/- a'angin Rs. 50/- thleng chawitir theih a ni. Ram kang chhia chu kum li kum nga chinah tui leh thei chauh a nih avangin, ram tikangtute chu lei chawitir ngei ngei tur a ni. Lo hala mahni theih tawka inhumhalh hnua ram la

kang chhe palh erawhchu kawng dang ram pawh man se, lei a kuai lo.

BUNG VII

87. INSIL : Mi tupawh mi inah zankhat mitchhin tawh sela, chumi in neitu chuan a thia chhungte chu insil man Rs. 20/- a \hing thei ang. Hetiang insil man awmzia chu a hnuaih hian sawifiah a ni :
- (1) Tu emaw, sumdawngin emaw, zin mai maiin kal sela, lo na tain, tun hma lama a hmel hriat loh leh laichin bul ni si lo inah va tluhlum ta sela, tin, a tluk hlumna pa emaw, in neitu chuan dân pangngaiin lo vui sela, chuti chuan, a chhungte lakah insil man Rs. 20/- a \hing thei ang. A pek duh loh chuan Rs. 50/- thlenga chawitir theih a ni ang. Amaherawhchu, theih lohna avang emaw, khaw danga a awm emaw chhuanlam \ha tak nei si lova, in neituin thla thum chhunga insil man a sawi loh chuan, a hnuah engmah sawi theih a ni lovang.
 - (2) Tu emaw damdawi ina awm lo thi dawn ta sela, ama laina emaw, laina lo \henrual \ha naran maiin damdawi in a\anga paw chhuakin, khawngaihna avang chauhin ama in lamah hruaiin, chutah chuan damlo chu thi ta sela, insil man sawi theih a ni lovang. Tin damlo chu damdawi in a\anga puak chhuah hmain intiamna a lo awm chuan, insil man a awm tur a ni. Insil man awmzia chu ruang chhuahna rilru a thinhrikna ti rehtu a ni.
 - (3) Insil manah hian, naupang kum tling lo pawh thi sela, emaw, pian thlak veleha thi emaw pawh ni sela, puitling thi ang bawka ngaih a ni.

- (4) Tuin emaw, tlawmngaihna emaw leh kawng dang avangin emaw, insil man kha lo sawi ta lo sela, a hnu daihah inhauhna avangin sawi chhuak \ha leh sela, chu chu pawm a ni lovang. A hmaa sawi thawina awm hauh lo, a hnua inrem tak loh avanga sawi chhuah hnuhnawh chu engmah a ni lo.
88. LUKHAWNG : Lukhawng hi thil \ha lo nia ngaih a nih avangin tih bo a ni.

BUNG VIII
ROLUAH DÂN

89. Thurochhiah (will) awm lohnaah chuan rokhawm dân ber chu hetiang hi a ni.
- (1) ROLUAH TURA SIAM EMAW, FA ROLUAH : Pawi-Lakher Region ram chungah fa roluah tura siam emaw fa roluah atan hian mahni bul balte tih lova, rokhawmtu tak zeta siam a awm lo. Amaherawhchu, mi bulbalte remtihna emaw leh sawi lova roluah tur khawpa insiamna zia thuin a zir ang. Mi zikbul, tar thlenga fa nei lovin emaw mahni bulbal chawm hlumtu nei lovin, fahrah roluahtu atan siam theih a ni a, chumi fahrah chuan a awmna chu chawmhlum a nih chuan ro a luah theih.
- Unau pianpui emaw, pa unau fa emaw nei si a, chawmhlum duh si lo emaw ni sela, roluah atan tupawh fahrah a awmpui thei. Amaherawhchu, chutiang unau nei sia chawm hlum duh si lo emaw peih lo emaw ni sela, roluah atan tupawh fahrah a awmpui thei. Amaherawhchu, chutiang unau nei si a, anmahniin an chawm peih loh emaw, chawm duh lova mi dang

roluah atana a chawm hlum duh si siam duh ni sela, Village Council a hriattir tur a ni; annin zawt velin roluahtu a zawn chu thiama an ruat chuan chu mi chuan ro a luah theihzia an nemnghet ang.

Tin, fahrah awmpui roluah thei tura chuan phak chin a nei tur a ni. Fahrahin a awmna pa a chawm hlum a unaute chuan a roluah tur chu chuhpui a chan zawk tum ni sela, an chang thei bik lovang a, ro chu inzatin an insem ang, thu awm danin a zir zel tur a ni bawk.

Hetiang fa roluah tura siam kawngah hian dân zawh tur siam fel theih a ni mang lo. Rokhawmtu ngeiin a mi hran emaw, a tuihlar fel mang loh chuan fahrah awmpui emaw chawm len maiin ro a luah thei lo.

Amaherawhchu fahrah mi ina awmin a awmna pa kum rei tak hna thawhsakin chawm sela, dân naranin hmun thuma hena hmun khat fahrah chuan a chang ang. Hetiang hian kawh hmuhna siam a ni :

- (a) A-a chu mi zikbul laichin bulbal nei lo a ni a. B-a chu fahrah a ni a, a chawm a, a lo duhsak ta hle a. Chutichuan, A-a chuan B-a chu fa roluah atan a siam thei. Amaherawhchu A-a a thih hnuin B-an A-a nupui chu a la chawm reng tur a ni.
- (b) A-a leh B-a unau piang hmun an ni a, A-a hi mi khawsa thei tak a ni a, fa erawhchu a nei lo; tin, B-a erawhchu a rethei a, fa a ngah. Tin, A-a hian fahrah C-a roluah turin a siam a, a thi ta a. C-a chuan ro chu a vaia luah a tum a, B-a emaw a faten emaw chu chu chuhin ro chu luah zawk theih a ni. Amaherawhchu C-a hi mi fel

tak leh \angkai em em mai ni sela, A-a roah chuan chan pual a nei thei tur a ni. \angkaina nei lo leh thawh chhuah pawh nei lo a nih chuan chanpual a nei thei lovang. Tin, \hat hnemna nei a, A-a hi chawm hlum a nih chuan buh bal leh bungbelah chanvo a nei ang a, hmun thuma \hena hmun khat a chang thei ang. C-a chuan ran vulh thawhchhuah emaw, tangka sum emaw nei a nih chuan a zatve lai pawh a chang thei ang.

- (2) Chang (9) a ziak ang lo hi chu Pawi-Lakher Region-ah rokhawmtu atan tumah a vuah thar thei loh. Rokhawmtu hi mipa laichin bul ber a ni. A lalber tur chu a fapa, fapa ngah sela, fa upa ber a ni. Fa nei lo rokhawmtu chu a unaupa a ni ang a, unau nei lo sela, laichin bul ber a ni ang.

Laichin bul rokhawm thei tura ruat awm lo sela, laichin mai maiin khawm lovin hmeichhiain a khawm ang. Miin a nupui leh a fate thihsan sela, an nu hova khawsa thei tur ni sela, tumahin chawhbuai theih tur a ni lo.

Amaherawhchu, mahni in lo din thei tur lo ni sela, an pami te emaw, leh laichin bulin ro a luah ang a, anniho chu roluhtu chuan a chawm ve thung ang. An lo sellen hunah mipa an nih chuan nupui a neihsak ang a, hmeichhia an nih chuan pasal an neihin an man a ei ang. In mual vawm hrang thei an nih chinah erawh chuan, rokhawmtuin ro thuah a umzui tawh bik tur a ni lo. Rokhawmtu chuan a khawmsaka leiba a chawi tur a ni a, leiba \hin tur nei sela, amahin a \hingin a nei bawk ang.

Rokhawmtuin ro a khawm tawh hnuin a khawmsaka chuan leiba rulh tur a neih hriain chumi rulhsak hreh avang maiin a insut thei lovang. Khawmtu dang an awm loh chuan a khawm ngei ngei tur a ni. Rokhawmtuin a khawmsaka thihsan nupui a chawm tur a ni. Chawm duh lo sela, chu lusun nu chuan amah chawm peih apiang rokhawmtuah a siam thei ang. Rokhawmtu khaw hranga awm ni sela, a khawmsak tura te chuan an panin in khatah emaw, in hrangah emaw, chawm an ni ang. Khaw hrang a\angin ralkhata chawm theih a ni lo. Chutianga in chawm chu, chawm nih avangin awl theih a ni bik lova, an theih ang chu an thawk ve tur a ni.

- (3) PA ROKHAWM : Pa ber thi sela, rokhawmtu chu fa a ni, fa ngah sela, fa upain rokhawmtu hming a pu ang. Fapain ro a khawmna chhan hi nu leh pa chawm hlumtu tura ruat a nih avang chauh a ni. Unau pathum laite an nih chuan fa naupangte nen chuan ro an insem ang. Rokhawmtu hming fa uin a chan avangin fa uin hmun lia \hena hmun hnih a chang ang a, a nauten hmun khat ve ve an chang ang. Silai emaw, Sial emaw, Sebawngte erawh chu fa uin a duh ber a thlang ang a, tangka ni se fa uin a nauten aiiin chanvo hmun khatin a chang chuang ang. Pain a dam laiin ro a fate zingah sem sela, an pa sem dan ang chiah chuan an chang ang.

Tin, miin fa pathum nei sela, a nau zawkte chu khawdangah awm sela, fa u chu fapa nei hman lovin, a pa aiiin thi hmasain a pa pawh chu thi ve leh ta sela, a nau zawkte chuan pa ro chu inang rengin an insem ang. Amaherawhchu, fa u khan fapa lo nei hman a

nih chuan chu a fa chuan a pa (fa u) chan ai a chang thei ang. Tin, paiin chhungte thihsan nei a nih chuan a thihsan te chu a chawm peih zawk tur apiangin ro chu a chang chuang ang. Amaherawhchu nuin pa chan changa khumpui luah peih a nih chuan tihbui theih a ni lovang. Fanu pasal nei lo emaw, hring kir emaw, leh tufa awmpui tur nei a khumpuia pa chan chang peih chu faten hnial theih a ni lovang.

Nuin fapa in dang pahnih pa rokhawm tura te chu itsikna avangin pa ro chu tih riral tum sela, an insem sak thei mai bawk.

- (4) PAMI ROKHAWM : Miin fa (hmeichhia emaw, mipa) ro khawmtu tur a neih loh chuan an pami-in ro a khawm ang. Hmeichhiain fa nei lovin pasal sun sela, a pasala thihsan ro chungah chuan Court-in awm a tih angin ro a sem thei ang.
- (5) CHAWMHLUM ROKHAWM : Mihring laichin unau chawmtu nei lo emaw, peih lo, mahnia hnathawk thei si lo emawin rokhawmtu atan chawmtu a zawng thei. Chutiang a siam rokhawmtu chuan a chawma chu a chawm hlum tur a ni. Chutiangin, A-a inah B-a a lo lut a, A-a hi a laichinten an chawm peih lova, B-a chuan a chawm ta a, A-a ro chu a khawm ang. A-an nupui man ba nei sela, B-an a rul ang a, a nupui in hrangah emaw, a inah emaw pawh a chawm bawk ang.
- (6) ZAWNCHAWP ROKHAWM : Zawmchawp rokhawm hi thil awm khat tak a ni. Laichin unau bulbal nei lo chauhvin rokhawmtu zawmchawpa chutiang pawh chu thih dawn maia bulbal nei loten an

zawng mai a ni. Zawngchawp rokhawmtuin dân pangngai angin a ro a khawmsaka chu a vui tur a ni.

- (7) FA ROKHAWM : Mi fa nei lovin thi sela, a pain ro a khawm ang. Pa chu unaute aiin a lai tur a ni. Unaute fa ro pawh khawm theih a ni. A-a leh B-a unau an ni a, B-a hian fapa C-a a nei a, B-a chu a lo thi ta a, A-a chuan C-a chawmin B-a ro a khawm thei.
- (8) RAM HRANGA MI ROKHAWM : Ram hranga awm tih avangin rokhawmna a bo chuang lo. Chutiangin, A-an fapa B-a a nei a, B-a chu Kawlvai rama a awm laiin a pa A-a chu a thi a, B-a hian ro a khawm tur a ni. Amaherawhchu B-a ram hranga awm avangin A-a hian C-a rokhawmtuah lo siamin C-a hian enkawlin lo vui sela, A-a ro chu B-an hmun thuma \hena hmun hnih a hmu ang a. C-an hmun khat a hmu ang. Tin, unau khaw hrangah kum rei tak inhmu lovin awm hrang sela, a tu zawk emaw, fa nei lovin thi sela, rokhawmsak theih a ni.
- (9) MI CHUANG ROKHAWM : Mihring awmna nei ngai lo, vak vak emaw, vak mai maiin thi sela, a thihbate chuan a neih apiang an la thei. Zawlbukah emaw, Pumah emaw, thi sela, Regional Council Fundah a lut ang.
- (10) HMEICHHE ROKHAWM : Dân naranin hmeichhiain ro an khawm ngai lo; amaherawhchu pain a pek chuan a khawm thei. A pain pe mah sela, a duh loh chuan a khawm lo thei. Chutiangah chuan rokhawmtu dik chuan a khawm ang.
- (11) ROKHAWM DUH LO : Rokhawmtu bul berin a rokhawm tur chungah hnialna a nei thei lova, a puala

tlu a nih chuan phatsan theih a ni lo. Rokhawm turin leiba a thihsan hnem em e tih vang maiin mahni rokhawm tur phatsan theih a ni lo. Rokhawmsak turin leiba maiin a bo thei lova, chutichuan rokhawmtuin a khawmsaka leiba \hin a nih chuan a pe ngei tur a ni.

**AUTONOMOUS DISTRICT COUNCILS
SUPPLEMENT**

TO



The Assam Gazette

PUBLISHED BY AUTHORITY

No. 33 Shillong, Wednesday, Dec. 26, 1962, 5th Pausa, 1884 S.E.

.....?

The 11th December 1962

No. GDC/E/MR/1/53/15498 – In exercise of the power conferred by section 9 of the Christian Marriage Act, 1872 as adopted and section 3 and 4 of the Garo Hills) Christian Marriage) Act. 1954, the Executive Committee of the Garo Hills District Council pleased to grant a license to each of the following gentlemen authorising them to solemnise and grant certificates of marriage between Indian Christians in the Autonomous District of Garo Hills.

1. Shri Rehunath Momin, Pastor, Village Rajasimila, P.Q. Kharkutta, District Garo Hills.
2. Shri Jongbir Sangma, Evangelist, Village Mokura, P.Q. Rongjeng, District Garo Hills.

M.K. MARAK
Chief Executive Member
Garo Hills District Council, Tura

The 18th December 1962

No. RLU 962242 – In exercise of the powers conferred under paragraph 7(2) of the Sixth Schedule to the Constitution of India. The Pawi-Lakher Regional Council is pleased to make with the approval of the Governor of Assam, the following rules for the management of the Regional Council Fund for the Pawi-Lakher Autonomous Region –

PART I
GENERAL
CHAPTER I
(Preliminary)

1. (1) These rule may be called the Pawi-Lakher Regional Council Fund Rules, 1962
(2) “They shall come into force on such date as may be notified by the Chief Executive Member, in the *Assam Gazette*, with the approval of the Governor”.
2. In these rules, unless there is anything repugnant in the subject or context :-
 - (1) “Autonomous Region” means the Pawi-Lakher Autonomous Region.
 - (2) “Chief Executive Member” means the Chief Executive Member of the Pawi-Lakher Regional Council (Constitution of Regional Council) Rules, 1952.
 - (3) “Accountant General” means the Accountant General, Shillong, Assam.

- (4) “Sub-Divisional Officer” means the Sub-Divisional Officer, Lungleh.
 - (5) “Constitution” means the Constitution of India.
 - (6) “Regional Fund” means the Regional Fund for the Pawi-Lakher Autonomous Region Constituted under the provisions of paragraph 7 (I) of the Sixth Schedule to the Constitutions and the term “Fund” shall be construed accordingly;
 - (7) “Treasury” means a treasury maintained by the State of Assam and includes a Sub-Treasury with which the Regional Council banks;
 - (8) “Secretary” means the Secretary of the Regional Council.
3. The Regional Fund is constituted under paragraph 7(1) of the Sixth Schedule to the Constitution of India, to which shall be credited all money received by the Regional Council in the course of the administration of the Pawi-Lakher Autonomous Region in accordance with the provisions of the Constitutions. The fund will accordingly comprise all receipt realised by the Regional Council under the provisions contained in the Sixth Schedule to the Constitution including the taxes levied or other revenues or receipts realised under the laws, rules or regulations framed by the Regional Council under paragraphs 3, 4 and 8 etc.

The Fund will also include any liquid asset, surplus revenues, customary receipts, cash balance or bank balance etc. acquired by the Regional Council from the previous administrators of the locality or area constituting the Autonomous Region and also any arrear revenue or re-

ceipt accruing to the administration before the Constitution of the Regional Council but realised thereafter.

4. (1) These Rules framed by the Regional Council with the approval of the Governor of Assam and published in the Official Gazette of the State have the force of law in terms of paragraph 11 of the Sixth Schedule to the Constitution of India and are thus legally binding on all concerned.
- (2) Any matter which is not covered by or under these rules shall be referred to the Governor and his decision thereon shall be final.

CHAPTER II

General Principles

5. The registers and forms prescribed in these rules provide for all classes of transactions usually occurring in the Autonomous Region.
6. If it is found that the account rules and forms herein prescribed do not conveniently meet the special requirements of the Autonomous Region they may be added to or modified by the Regional Council in consultation with the Accountant General and with the approval of the Governor.
7. The Chief Executive Member shall, at the time of audit cause to be produced all accounts, register documents and subsidiary papers which may be called for by the audit authority for investigation.

8. (1) The cash and account branches of the Regional Council office shall be kept distinct from each other, and under separate officers, who, for the purposes of these rules, shall be termed as the cashier and accountant respectively.
 - (2) In no case shall the same person compile the accounts and superintend the collection of the rates, taxes and other income of the Regional Council.
9. (As the treasury and the Regional Council occupy the respective position of banker and constituent) to person connected with the treasury shall assist in any way in collecting the revenues of the Regional Council or in posting the books in connected matters of the Regional Council.
10. (1) The Accountant Cashier and any other officer in the employ of the Regional Council in whose custody the funds of the Regional Council are kept shall furnish such security as prescribed in Appendix I
 - (2) Nothing in this rule shall be understood to prohibit such security as the Regional Council may think advisable being taken from any other person in the employ of the Regional Council.
 - (3) The Chief Executive Member shall periodically test the securities.
 - (4) The form of security bond for employees of the Regional Council shall be as prescribed in Appendix II to these rules.
11. All accounts and registers shall for the present, be maintained in English. All books of accounts and register, shall

be substantially bound and paged before being brought into use a certificate as to the number of pages each book contains being given in the fly leaf by the secretary. No accounts shall be prepared on loose sheets or in loosely bound volumes.

12. All corrections and alterations in accounts shall be neatly made in red ink, and attested by the initials of the Secretary. Similarly, all alterations and corrections in a voucher shall be duly authenticated by the Drawing Officer. Erasures shall on no account be permitted in registers, statements vouchers or accounts of any description.

All corrections in the total of the bill whether made in words of figures should be attested by the full signature of the Drawing Officer with date against each instead of by his dated initials. The spaces left blank either in the money column or in the column for particulars of the should invariably be covered by oblique lines.

A note to the effect that the amount of the bill is below a specified amount expressed in whole rupees which is slightly in excess of the total amount of the bill, should invariably be recorded in the body of the bill in red ink. The note should be made in the same manner as is done in case of cheque.

13. (1) Whenever any loss of money or other property due to embezzlement or theft or to facts indicating misconduct, neglect or dishonesty, on the part of any employees of the Regional Council is discovered the fact shall be promptly reported by the Chief Executive Member to the Accountant General, a copy being simultaneously sent to the Subdivisional Officer.

Who may in his discretion report any case of importance to Government. As soon as a reasonable suspicion exist that an offence has been committed, the Chief Executive Member shall immediately institute a departmental enquiry into the Regional Council Should the Chief Executive Member require the assistance of the audit officer shall apply forthwith to the Subdivisional Officer who will then negotiate with the audit officer for the services of an investigating staff.

When the matter has been fully enquired into the Chief Executive Member shall submit a further and complete report to the Accountant General and the Subdivisional Officer showing the total sum of money or property lost, the manner in which it was lost and the steps taken to recover the amount and departmental action if any taken against the offenders.

The Chief Executive Member shall also apply to the Subdivisional Officer for a regular police investigation and if such investigation is taken up, he shall take all possible steps to facilitate such investigation.

Notwithstanding anything contained in the rule, the Governor may of his own motion direct an investigation into the matter by such officer as he deems fit and take such further action as he may consider necessary.

Exception – Petty cases, that is case involving losses net exceeding Rs. 100 each need to be reported to the Accountant General, unless there are, in any case important features which merit detailed investigation and consideration.

- (2) No money or other property lost in circumstances of the nature described in sub-rule (1) above, shall be written of except with the sanction, of the Regional Council. The Regional Council may sanction write

off upto a maximum of Rs. 500. Any amount in excess of Rs. 500 may be written off by the Regional Council with the approval of the Governor.

PART II

Location and custody of money of and payments to the Regional Fund

CHAPTER II

Location and custody of money

14. (1) All moneys pertaining to the Regional Fund shall be held in the Treasury.
- (2) The accounts of the Regional Fund at the Treasury shall be kept as a pure banking account, moneys being paid in and drawn out without specification of nature of receipt or expenditure. Unless in any case the Regional Council direct otherwise, withdrawals can be made only by cheques signed by the Secretary.

The Regional Fund will not be allowed to overdraw the balance at its credit without obtaining before hand a loan or contribution to cover the overraft

15. All dues of the Regional Council shall be paid into the Regional Fund held in the Treasury through the Regional Council office.

in the form legally valid document such as power of attorney or transfer deed conferring authority on the bank to receive payment and fine the contractors own acceptance

of the correctness of the account made but as being due to him by Council or his signature on the bill or other claim preferred against the Council before settlement of the account or claim by payment to the said Bank. While the receipt given by a bank will constitute a full and sufficient discharge for the payment contractors should wherever possible be induced to present their bills duly receipted and discharged through their bankers.

Nothing herein contained should operate to create in favour of the bank any right or emities *vis-a-vis* the Council.

16. Save as otherwise expressly provided in these rules, the following rules shall be observed by the Cashier who is required to receive and handle cash.
 - (i) The Cashier shall keep a cash book in the form prescribed in Appendix III in which he shall enter all sums received by him on account of the Council.
 - (ii) All monetary transactions shall be entered in the cash book as soon as they occur and attested by the full signature of the Secretary with date in token of his check.
 - (iii) The cash book shall be closed daily and completed checked. The Secretary shall verify the to talling of the cash book and give his full signature against each item as correct.
 - (iv) At the end of each month the Secretary shall verify the cash balance in the cash book an record a signed and dated both in words and figures in his own handwriting order his full and dated signature. A certificate shall also be recorded on the monthly cash account primary abstract or account curren that is

required to be submitted to the Accountant General such certificate must be signed by the Secretary who shall invariably date the signature.

- (v) When Council moneys in the custody of the Cashier are paid into the treasury the secretary making such payment shall compare the Treasury Officer's receipt on his pass book with the entry in the cash book before attesting is and satisfy himself that the amounts have been actually credited into the treasury.
- (vi) An erasure or over-writing of an entry once made in the cash book is strictly prohibited. If a mistake is discovered it shall be corrected by drawing the pens through the correct entry and inserting the correct one in red ink between the lines. The Secretary shall attest by his full signature with date against each such correction.
- (vii) The Cashier who handles Council money shall not except with the special sanction of the Regional Council be allowed to handle in his official capacity money which does not belong to the Council. Where under any special sanction, an officer deals with both Council and non-Council money in his official capacity the Council money shall be kept in a cash box separate from the non-Council money and the transactions relating to the latter shall be accounted for in a separate set of books and kept entirely out of the Council account.
- (viii) The employment of peons to fetch or carry money shall be discouraged. When it is absolutely necessary to employ such persons for this purpose, a man of

some length of service and proved trustworthiness shall only be selected and, in all cases, when the amount to be handled is large the Chief Executive Member shall take sufficient precautions for the safe escort of the money to and from the Treasury.

Note : In case it is considered necessary to employ armed guards the Chief Executive Member may apply for the same to the Subdivisional Officer.

Council moneys in the custody of the Cashier shall be kept in a strong cash chest secured by two locks of different patterns. The keys of one lock will remain with the Cashier and the keys of the other lock with the Secretary or any other Officer to be designated by the Secretary in writing. Both the custodians of the keys shall be jointly and severally responsible for the contents of the chest which shall not be opened unless both the custodians are present.

Note : The duplicate keys of the cash chest may be placed under the seal of the Council in the custody of the Treasury Officers, each in a separate sealed packet. A duplicate key register should be maintained and once a year, in each April, the keys must be sent for examined and returned under fresh seal to the Treasury Officer a note being kept in the register that they have been found correct.

CHAPTER II

Payments of money to Regional Fund

17. (a) All receipts due to the Council collected by any employees of the Council authorised to collect such

receipts shall pass through the Cashier, who shall enter them in his cash book.

- (b) The Cashier should furnish a receipt to the employee in chalan prepared by him.
 - (c) Employee of the Council authorised to collect such receipt does not include the collecting agents. Who get commission for collection.
18. All moneys received by the Cashier on account of the Council shall be remitted intact to the treasury as soon as possible and shall on no account be appropriated towards expenditure.
 19. All moneys paid into the treasury to the credit of the Regional Fund shall be accompanied by the pass book of the Council and the prescribed treasury chalan. The chalan shall be completed in duplicate. The second part of the chalan shall be retained by the treasury office, and the original or counterfoils shall be receipted by the treasury officials and brought back to the Council office by the person sent with the remittance.
 20. Each remittance made to the treasury should be entered in the Cashier's cash book in the payment side (duly classified under the head "P Deposits and Advance – Deposit of Local Funds – Regional Funds..... Regional Fund") The chalan for remittances by the Cashier shall record the name of the Council on account of which the money is sent to the treasury, and details of the notes and coins of which the remittance is composed. The deposit account head mentioned above could also be mentioned in the chalan.

21. When payment has to be made from the Regional Fund to the State or Union Government or to any Local Fund whose funds are lodged in the Treasury or *vice versa*, it is not necessary that the money should be actually drawn in cash from the Treasury and again repaid into it. A cheque or voucher as the case may be should be used in such cases, in which it should be specified that the amount is to be paid by transfer credit all payments to the Regional Fund should be supported by a receipt stamped, when necessary, from the authorised officer of the Regional Fund.
22. With the remittances shall be sent the pass book of the Council upon receipt of the money by the treasury both sides of the pass book shall be written up-to-date by the treasury accountant, the entries shall be initialled by the Treasury Officer, and the book returned to the Council office.
23. The pass-book will be supplied grants by the treasury. It is not a Council account book but simply a copy of the account kept in the treasury of the moneys paid in and taken out by the Council, and must therefore always be written up only by the treasury establishment by whom the original account is kept.
24. No entries or marks shall under any circumstances, be made in the pass book by any one connected with or working in the Council office. At the close of each month the balance in the pass book shall be struck, the amount written in words and signed by the Treasury Officer.
25. Council dues or other moneys receivable on account of the Council may ordinarily be realised in legal tender coin or notes only. Precaution must be taken by the receiver to ensure that no counterfeit of coin or notes are received.

26. (1) The officer receiving money on behalf of the Council must give the payer a receipt in the prescribed printed form. This rule applies to all moneys received either for credit to the Council or for deposit, or for any other purpose, except however to money, withdrawn from the treasury for disbursement of pay, allowances, advances etc. to Council employees or for payment of contingent and other charges to private parties.
- (2) The receipts shall be signed by the Secretary who shall satisfy himself at the time of signing the receipt and initialling its counterfoil that the amount has been properly entered in the cash book either directly or in total through a subsidiary register of the cash book.
- (3) As an exception to the proceeding sub-rule, the Chief Executive member may, in special cases permit receipts to be signed by an officer subordinate to the Secretary. Likewise receipts may be signed by a subordinate officer to be authorised in this behalf by the Secretary when he is authorised officer for Secretaty and shall be responsible for checking the counterfoils of receipts with the entires in the cash books (and in the subsidiary registers thereto, if any).
- (4) Where money is realised not the cash but by recovery from a bill payable by the Regional Council full particulars of the deduction shall be set forth in the bill and a receipt may be granted only if specially desired by the payer, the fact of recovery having been made by deduduction from the bill being clelry recorded on the receipt.
- (5) All receipts must be written in figures and in words.

27. (1) The form of receipts shall be such as prescribed in Appendix IV. No receipts except those issued in the prescribed form shall be valid.
29. (a) Subject to the provisions of these rules, the detailed procedure to be adopted with regard to the realisation of Council dues and granting of receipts for the money realised may be prescribed by the Chief Executive Members in consultation with the Accountant General and with the approval of the Governor.
- (b) The procedure so prescribed shall *inter-alia* provide for definite responsibilities of officers concerned to ensure –
- (i) that demands are made as revenue fall due;
 - (ii) that steps are taken with a view to effecting prompt realisation of all revenue, regular or occasional and
 - (iii) that proper records are kept to show, in respect of all items of revenue recurring, or non-recurring the assessment made, the progress of recovery and the outstanding debts due to the Council.

PART III

Withdrawal of money from the Regional Fund

CHAPTER I

Procedure for Withdrawal

30. No money shall be withdrawn from the Regional Fund except by cheque on the treasury signed by the Secretary.
31. No money should be withdrawn from the Fund unless it is required for immediate disbursement. It is not permis-

sible to draw advances from the Fund either for the prosecutions of works the completion of which is likely to take a considerable time or to prevent the lapse of budget allotments.

32. Claims against the Regional Council shall ordinarily be discharged by cheques drawn upon the treasury.
33. All cheques in payment of claims against the Council shall be presented at the treasury.
34. When the person not in the employ of the Council claims payment for work done service rendered or articles supplied, such claims shall unless there are express orders of the Council to the contrary, be submitted to the Secretary or any other officer under whose immediate order the service was done or the equivalent was given for which payment is demanded.
35. All claims for grant-in-aid, contribution etc.. to local bodies, customary, charitable or educational institutions and other non-Council bodies or persons shall be presented to the Secretary.
36. Bills for all claims against the Council shall be prepared in the Regional Council office and shall be passed for payment by the Secretary in accordance with these rules and then the charges will be paid by cheque drawn on the treasury or out of cash obtained from the treasury by such cheque.
37. The salary, establishment and travelling allowance charges shall be drawn on bills, which shall be charged in the cash book without further details, the entries being supported by the bills as vouchers.

Note : Payment due to contractors may, if so desired by them, be made to their banks instead of direct to contractors, provided that the Secretary obtains (i) an authorisation from the contractor.

38. The Secretary, shall at the time of making payment to non official communicate the fact with the address or the payees to the in come tax Officer concerned if the amount of each payment is not less than Rs. 250.

39. (1) No claims against the Council not preferred within six months of its becoming due can be paid within the special sanction of the Council, but this rule does not apply to claim of Rs. 5 and less which are preferred within one year of their becoming due. A claim for which no sanction exists cannot become due unless and until it is sanctioned. The period of six months and one year referred to above should, therefore, be calculated from the date on which the claims become due.

Note : 1- Pay and allowances for which sanction exists become due for payment on the working day after the close of the month to which they relate.

Note : 2- Scholarships and grants-in-aid claims are due on the first day of the following month.

Note : 3- Except in cases of transfer, travelling allowance claims become due for payment as a general rule, on the last day of the month or at the end of the January if prolonged beyond the end of the month.

Note : 4- This rule does not apply to Contingent Charges which are passed against budget allotments but only to

periodical contingent charges, such as rents rate, etc.) for which scales have been fixed.

- (2) Claims of Council employees to arrears of pay or allowances or to increments which have been allowed to remain in advance for a period exceeding one year may not be admitted except on special orders of the Council. The Council shall not admit claims more than six year old save with the prior approval of the Governor.
 - (3) No payments may be made on account of increase to pay until the additional expenditure thereby caused has been provided for in the budget estimates and duly sanctioned.
40. The following instructions with regard to the preparation and forms of bills shall be observed.
- (i) Printed forms of bills to English shall be adopted as far as possible but when from any circumstances a local language may necessary individual form shall be used.
 - (ii) If in any case the use of a bill purely in a local language becomes unavoidable, a brief abstract shall be kept in English under the signature of the Secretary stating the amount, the name of the payee and the nature of the payment.
 - (iii) All bills shall be filled in and signed in ink. The amount of each bill shall, as far as whole rupees are concerned, be written in words as well as in figures. The fractions of a rupee may, however, be written in figures after the words stating the number of rupees but in case of there being no fraction or a rupee, the

word “only” shall be inserted after the number of whole rupees and care should be taken to leave no space for interpolation as in the following examples : “Rupees twenty-six only. Rupees twenty-five, 0-4” to be written in hand continuously without any gap between two words, while passing the bill the drawing officer should also write across the bill in words at right angles to the type a sum little in excess of that for which it is passed, thus ‘under rupees thirty only’ will mean that the cheque is for a sum not less than Rs. 20 but less than Rs. 30 and similarly ‘under Rs. 800 only’ will mean that it is for less than Rs. 800 but not less than Rs. 700.

- (iv) All corrections and alterations in the total of a bill shall be attested by the full signature with date of the Secretary.

Erasures and over-writings in any bill are absolutely forbidden and must be avoided. If any correction be necessary, the incorrect entry shall be cancelled neatly in red ink and the correct entry inserted. Each such correction or any interpolation deemed necessary shall be authenticated by the Secretary setting his full signature with date against each.

- (v) The full accounts classification shall be recorded on each bill by the Secretary, the classification in the budget being taken as a guide.
- (vi) When bills are presented on account of charges incurred under any special orders, the orders sanctioning the charge shall be quoted.

- (vii) Dates of payment shall when possible be noted by the payees in their acknowledgments, in sub-vouchers, acquittance rolls, etc., if for any reason, such as illiteracy or the presentation or receipts in anticipation of payment, it is not possible or the dates of payment to be noted by the payees, the dates or actual payment shall be noted by the Secretary in the documents under his full signature with date, either separately for each payment or by groups, as may be found convenient.
- 41. No person except the Secretary is authorised to draw on the Council Fund by means of cheque without the special orders of the Council.
- 42. Cheque shall be drawn on forms in cheque books supplied by the treasury.
- 43. The Treasury Officer shall supply a cheque book only on the receipt of the printed requisition from which is inserted in each book towards the end and never more than one cheque book on a single requisition. The requisition must be signed by the Secretary.
- 44. The Drawing Officer shall notify to the Treasury upon which he draws the number of each cheque book which time to time he being into use and the number of cheques it contains.
- 45. Cheque books shall on receipt be carefully examined by the drawing officer who shall count the number of forms contained in each and record a certificate of count of the leaf.
- 46. Each cheque book must be kept under local and key in the person custody of the Drawing Officer who, when

relieved shall take a receipt for the exact number of cheque books and blank cheque forms made over to the relieving officer.

47. The loss of a cheque book or a blank cheque form shall be notified promptly to the Treasury Officer.
48. All cheques shall have written across them in words at right angles in red ink to the type a sum a little in excess of that for which they are granted, thus “under rupees thirty only” will mean that the cheque for a sum not less than Rs. 20 but less than Rs. 30 and similarly “under rupees eight hundred only” will mean that it is for less than Rs. 800, but not less than Rs. 700. The amount of each cheque should as far as whole rupees are concerned be written in figures after the words stating the number of rupees, but in case of there being no fraction of a rupees, the word “only” should be inserted after the number of whole rupees and care should be taken to leave no space for interpolation as in the following examples :-

“Rupees twenty-six only. Rupees twenty-five.” 0-40 No abbreviation such as “eleven hundred” for “one thousand one hundred” is permissible.

- Note : 1-** In drawing or cashing a cheque it should be remembered that a common form of fraud consists in altering the word ‘one’ into ‘four’ by prefixing an ‘f’ and changing the ‘e’ into a ‘r’ the figures being easily altered to correspond. The word “twenty” written carelessly has also sometimes been changed into “seventy” The drawer of a cheque in which these words occur should, therefore, so write them as to make the fraud impossible and the Treasury Officer

should examine the words and corresponding figures with special care.

Note : 2- All cheques should be written in good ink.

49. (1) Cheques drawn in favour of Council employees and department in settlement of Council dues shall always be crossed "A/C payee only not negotiable."
 - (2) In the absence of a specific request to the contract cheques drawn in favour of Corporate Bodies. Firms or private person shall also be crossed. Subject to any instructions received from the payee, a cheque shall be crossed "..... and Company" with the addition of the word "Net negotiable between the crossing. Where the payee is believed to have a banking account further precautions shall be adopted where payable by crossing specially instead of by the General crossing "..... and company" by quoting the name of the bank through which the payee will receive payment and by adding the words A/C payee only net negociable. This rule shall apply to all cases where the use of crossed cheque is prescribed.
50. Every cheque infavour of council employee must be made payable to order only but when the payee is not service of the council the bank may any request make the cheque payable to bearer.
 51. As a general rule, cheque shall not be issued for sums less than Rs. 10/-
 52. All correction and allterration in a cheque shall be attested to the drawing officer by his full signature with date.
 53. Cheque shall be payable at any time within three months

after the month of issue thus a cheque bearing a date any time in January is payable at any time upto 10th April.

If the currency of a cheque should expire owing to its not being presented at the treasury within the period specified above. It may be received back by the drawer who should then destroy it and issue a new cheque in lieu of it.

54. When it is necessary to cancel a cheque, the cancellation must be recorded on the counterfoil, and the cheque if in the drawer's possession, shall be destroyed. If the cheque is not in drawer's possession, he must promptly address the Treasury Officer to stop payment of the cheque and on ascertaining that the payment has been stopped, shall make the necessary entry in his accounts.
55. (1) If the Drawing Officer be informed that a cheque drawn by him has been lost, he shall address the Treasury Officer drawn on, forwarding for signature a certificate in the following form :-

“Certified that cheque No..... dated..... for Rs..... reported by (the Drawing Officer) to have been drawn by him on this treasury in favour of has not been paid, and will not be paid if presented hereafter.”
- (2) The Drawing Officer on receipt of the certificate duly signed by Treasury Officer, shall enter in his account the original cheque as cancelled, and may issue another.
56. If a cheque is issued by the Council in payment of any sum due by the Council and that cheque is honoured on presentation to the Council's bankers, payment shall be

deemed to have been made :-

- (i) If, the cheque is handed over to the payee of his authorised messenger on the date it is so handed over or
- (ii) If it is posed to the payee in pursuance of a request for payment by post, on the date on which the cover containing it is put into the post.

Note 1- The provisions of clause (ii) above apply *mutatis mutandis* to the payment made in by the Council by Postal Money Order or by any other recognised mode of remiting money by post.

Note 2 - Cheque marked as not payable before a particular date shall not be charged to the accounts until the date on which they become payable.

- 57. The Drawing Officer shall record on the reverse of the counterfoil of each cheque the amount of the next cheque drawn and of the total of drawings during the month, and carry for ward their total to the next conterfoil. This will enable him form time to time to exercise an independent check on the postings of his cash book.
- 58. The Drawing Officer shall send a specimen of signature to the reasury officer through. The subdivisional officer duly attested by the letter when the drawing officer makes over charges of his office to another he shall likewise send a specimen of the signature of the relieving officer to the Treasury officer concerned.

CHAPTER II

Procedure for payment of claims

59. Subject as hereinafter provided in this rule, a Council employee entrusted with the payment of money shall obtain for every payment he makes, including repayment of sums previously lodged with the Council a voucher setting forth full and clear particulars of the claim and all information necessary for its classification and identification in the accounts. As far as possible the particular form of voucher applicable to the case shall be used. Supplied of stores and other private persons should be encouraged to submit their bills and claims in the prescribed forms. Every voucher shall bear or have attached to it an acknowledgement of the payment, signed by the person by whom or in whose behalf the claim is put forward. This acknowledgment shall be taken at the time of payment. A note of the date and mode of payment or by remittance by postal money order shall be recorded on the voucher.

Note 1 – Voucher includes a bill paid.

Note 2 – A bill is a statement of claim against the Council containing specification of the nature and the amount of claim.

Note 3 – In the case of articles received by value payable post, the value payable cover, together with the invoice or bill showing the details of the items paid for, may be accepted as a voucher. The Secretary should endorse a note on the cover to the effect that the payment was made through

the Post Office and this also covers charges for the money order commission.

Note 4 – In the case of receipts furnished by individuals on behalf of firms, the Secretary shall be responsible for making sure that the person signing the receipts as authority to bind the firm.

60. Every voucher shall have a pay order signed and dated by the secretary, specifying the amount payable both in words and figures. All pay orders must be signed by hand and in ink.
61. All paid must be stamped 'paid' or 'cancelled' so that they cannot be used a second time. Stamps, if any, affixed to vouchers must also be cancelled so that they may not be used again.
62. Voucher and acquittances shall be filed and returned carefully in the office concerned.
63. The provisions of rules '88 with regard to cancellation and destruction of sub-vouchers relating to contingent expenditure shall apply generally to sub-vouchers in respect of other class of payment unless it is otherwise decided by the Regional Council.
64. Subject to such special orders as the council may issue in any individual case, the responsibility for an over charge shall rest primarily with the secretary and it is only in the event of culpable negligence on the part of the secretary that the question of recovery from him may be considered.

The responsibility for the effective check and control of the accounts of the Regional Council, both in respect of revenue and expenditure, rests on the Secretary.

The Secretary shall be responsible not only for the financial regularity of the transaction of the Regional Council but also for the maintenance of the accounts of the transaction correctly and in accordance with the rules in force.

65. Bills for monthly pay and fixed allowances of Council employees may be passed at any time on the last working day of the month by the labour of which such pay and allowances are earned, and shall be due for payment the next working day.

If the first six days of a month are public holidays the Regional Council may order payment on the last open day before the holidays of monthly pay bills.

The forms on which claims for pay allowances etc. are to be prepared and the detailed procedure to be observed in the preparation and passing of such claims, shall be regulated by the provisions in rules 72-77.

66. The duty of making proper deductions to be made from pay bills on account of Provident and other Funds. if any, shall devolve on the Secretary.

The procedure to be followed in making such deduction shall be prescribed by the Regional Council in consultation with the Accountant General.

67. (a) When the pay of a Council employee is attached by any order of a Court of law it is the duty of the Secretary to see that the proper deduction is made in satisfaction of such order from the pay bill of the Council employee concerned.
- (b) The cost, if any of remittance to a Court of money realised under its attachment order shall be deducted

from the amount realised and the net amount remitted to the Court.

- (c) The recovery should be made in cash while making the disbursement of pay and recorded in the attachment register maintained by the Drawing Officer.

68. The last payment of pay or allowances shall not be made to or in respect of a Council employee finally quitting the service of the Council by retirement, resignation, dismissal death or otherwise, or placed under suspension, until the Secretary has satisfied himself by reference to the relevant records that there is no demand outstanding against him.

69. Pay and allowance can be drawn for the day of the employees death the hour at which death takes place has no effect on the claim.

Note : "Day" for the purpose of this rules should mean a calendar day beginning and ending at mid-night.

70. (1) Pay and other allowances claimed on behalf of a deceased Council employee may be paid without the production of the usual legal authority –
- (i) to the extent of Rs. 100 under orders of the Secretary after such enquiry into the rights and title of the claimants as may be deemed sufficient;
 - (ii) for the excess over Rs. 100 under the orders of the Regional Council on execution of and idemnity bond with such sureties as it may require, if it is satisfied of the right and title of the claimant and considers that undue delay and hardsip would be caused by insisting on the production of letters of administration.

- (2) In any case of doubt payment shall be made only to the person producing the legal authority.

The 19th October 1963

No. RCL. 1/63/57 – In exercise of the powers conferred by sub-paragraph (6) and (7) of paragraph 2 of the Sixth Schedule to the Constitution of India, The Pawi-Lakher Regional Council is pleased to make the following Rules for the Constitution and conduct of business of the Pawi-Lakher Regional Council.

(Other articles could not be seen)

The 19th October 1963

A RULE'S FOR CONSTITUTION AND CONDUCT OF
BUSINESS OF THE
PAWI-LAKHER REGIONAL COUNCIL

PART I

Preliminary

- 1. Short title and Commencement :** 1) These Rules shall be called the Pawi-Lakher Autonomous Region (Constitution and Conduct of Business of the Regional Council) Rules, 1963.
(1) They shall come into force at once.
- 2. Definitions :** In these rules, except where it is otherwise expressly provided or the context otherwise requires –

- (1) “Autonomous District” means an area deemed as such under paragraph 1 (I) of the Sixth Schedule to the Constitution of India;
- (2) “Autonomous Region” means the Pawi-Lakher Autonomous Region constituted as such under paragraph 1 (2) of the Sixth Schedule to the Constitution of India, as defined in the Government Notification No. TAD/R/10/50 dated the 31st July 1951.

Note : (Notification No. TAD/R/10/50, dated the 31st July 1951, as amended by Notification No. TAD/R/10/50/156, dated the 18th October 1951 and No. TAD/R/10/50/188, dated the 5th March 1960 is reproduced in Appendix I to these Rules).

- (3) “Chairman” means the Chairman of the Regional Council and includes any person for the time being performing the duties of the Chairman.
- (4) “Constitution” mean the Constitution of India.
- (5) “Constituency” means a constituency for the purpose of elections to the Regional Council of the Pawi-Lakher Autonomous Region;
- (6) “Corrupt practice” means any of the practices specified in rule 175 and 176 of these rules;
- (7) “Illegal practices” means any of the practices specified in rules 177 of these rules;
- (8) “District Council” means the District Council of an autonomous district constituted under the provisions of the Sixth Schedule and in accordance with the Assam Autonomous District (Constitution of District Councils Rules, 1951, as subsequently amended;

- (9) "Election" means an election to fill a seat or seats in the Regional Council of the Pawi-Lakher Autonomous Region;
- (10) "Elector" in relation to a constituency means a person whose name is for the time being entered in the electoral roll of that constituency;
- (11) "Gazette" means the Assam Gazette;
- (12) "Governor" means the Governor of Assam;
- (13) "Scheduled Tribes" means sub tribes as are specified by order made by the President under Article 342 (1) of the Constitution as modified by law made by Parliament from time to time in so far as the specification pertains to the autonomous districts of Assam;
- (14) "Schedule" means the Sixth Schedule to the Constitution of India.
- (15) "Regional Council" means Regional Council of the Pawi-Lakher Autonomous Region constituted under the provisions of the Sixth Schedule to the Constitution of India and in accordance with these rules;
- (16) "Executive Committee" means the Executive Committee of the Regional Council.

Note : Any expression not defined in these rules, but occurring therein, shall be deemed to have the same meanings in which they are used in the Constitutions.

3. The provisions of the following Rules and Acts are hereby repealed :

- (1) The Pawi-Lakher Autonomous Region (Constitution of Regional Council) Rules 1952

- (2) The Pawi-Lakher Regional Council (Procedure and Conduct of Business) Rules 1952
- (3) The Pawi-Lakher Autonomous Region (Procedure and Conduct of Business) (Amendment) Act, 1954
- (4) The Pawi-Lakher Autonomous Region (Constitution of Regional Council) (Amendment) Act, 1957.
- (5) The Pawi-Lakher Autonomous Region (Procedure and Conduct of Business) [Second Amendment] Act, 1961

Provided that any action taken and proceeding made thereunder shall be deemed to have been taken or made under these Rules.

4. Interpretation in case of doubt :

- (1) Except where the context otherwise requires, the General Clauses Act, 1897 and the Assam General Clauses Act, 1915 shall apply for the interpretation of these rules as they apply for the interpretation of an Act of Parliament or of the Legislative of the State of Assam, as the case may be.
- (2) Subject to the provision of sub-rule (1), if any question arises as to the interpretation of these rules, it shall be referred for the decision of the Governor and the decision of the Governor shall be final.

5. Provision of removal of difficulties : If any difficulty arises as to the functioning of the Regional Council or holding of the election to the Regional Council under these rules, or any other matter connected therewith, the Governor may, by order, do anything not inconsistent with these rules, or

any provisions of the Constitution or any order made thereunder or an Act of Parliament or of the Legislature of the State of Assam, which appears to him to be necessary for the proper functioning of or holding of elections to the Regional Council, as the case may be.

PART II

(Regional Council-Composition-Officers-Executive Committee) –

6. Constitution of Regional Council :

- (1) There shall be a Regional Council for the Pawi-Lakher Autonomous Region.
- (2) The Regional Council shall be a body corporate by the name of "The Regional Council of the Pawi-Lakher Autonomous Region" shall have perpetual succession and a common seal and shall by the said name sue and be sued.

7. Composition of Regional Council :

- (1) The Regional Council of the Pawi-Lakher Autonomous Region shall consist of twelve members of whom ten shall be elected and two nominated, as provided for hereinafter in these rules.
- (2) The Constituencies for election to the Regional Council shall be territorial. The constituencies, the extent thereof and the number of seats to be filled in each of them shall be as specified in Appendix II to these rules.
- (3) The nominated members shall be appointed by the Gov-

ernor, and a member so appointed shall hold office during the presence of the Governor.

8. Duration of the Regional Council :

- (1) The Regional Council unless sooner dissolved, shall continue for five years from the date appointed for its first meeting.

Provided that the said period may be extended by the Governor by notification in the Gazette for a period not exceeding one year at a time.

- (2) Subject to the provision of sub-rule (3) of Rule 7, all members both elected and nominated, shall hold office during the life of the Regional Council.

Provided that a member elected or nominated to fill a casual vacancy shall hold office for the remainder of the term of office of the member whom he replaced.

- (3) Notwithstanding anything contained in this rule, the term of office of the member of the Executive Committee of the Regional Council, who are in office immediately prior to the date of dissolution of the Council as provided in sub-rule (1) shall continue till the date of the formation of the Executive Committee of the newly elected Regional Council.

9. Qualification for the membership : A person shall not be qualified to be elected as a member of the Regional Council unless he –

- (a) is a Citizen of India;
 (b) is not less than twenty five years of age; and

(c) is entitled to vote at the election of members of the Regional Council of that Autonomous Region.

- 10. Session of the Regional Council :** The Regional Council shall be summoned to meet once in every sixth month provided that it may be summoned oftener in the event of emergency, in the manner prescribed in rule 33.

CHAPTER II

Officers of the Regional Council

- 11. Chairman :** There shall be a Chairman in the Regional Council who shall be elected by a majority of votes from amongst the Members of the Regional Council, if there are more than one candidate in the manner provided in rule 30.
- 12. Vacation of Office of Chairman :** A member holding office as Chairman of the Regional Council –
- (a) shall vacate his office if he ceases to be a member of the Council;
 - (b) may, at anytime, by writing under his hand address to the Secretary of the Regional Council, resign his office; and the Secretary shall report the matter to the Governor immediately; and
 - (c) may be removed from office by a resolution of the Regional Council as provided for in rule 93.
- 13.** During the absence of the Chairman from any sitting of the Council, the Dy. Chairman, or if he is absent, a member of the Regional Council nominated under Rule 31 for the purpose shall act as Chairman.

14. (1) At any sitting of the Regional Council while any resolution for the removal of the Chairman from his office is under consideration, the Chairman shall not, though he is present, preside over the meeting and the provision of rule 13 shall apply in relation to a sitting from which the Chairman is absent.
- (2) The Chairman shall have the rights to speak in, and otherwise to take part in the proceedings of, the Regional Council while any resolution for his removal from office is under consideration in the Council, and shall notwithstanding anything in rule 24, be entitled to vote only in the first instance on such resolution or on any other matter during such proceedings but not in the case of an equality of votes.
15. **Conditions of service of Officers and staff :** Subject to the previous approval of the Governor the Regional Council may make rules regulating the conditions of service of officers and staff appointed to the services and posts in connection with the affairs of the Regional Council;

Provided that until rules are made by the Regional Council under this rule, the conditions of service of such officers and staff of the Council shall be regulated by the orders to be issued by the Governor and in the absence of such orders, by the relevant rules applicable to officers and staff under the rule making control of the government of Assam, subject to such restrictions or modifications as the Governor may direct in the case of a particular appointment or class or classes of appointment.

CHAPTER III

Disqualification of members**16. Vacation of seats**

- (1) If a person is elected to more than one seat in the Regional Council, then unless within twenty one days from the date of publication in the Gazette of the name of that person as having been so elected or where such publication is made on different dates unless within twenty one days from the latest of such dates such person resigns all but one of the seats, all the said seats, shall become vacant. If he resigns all but one seat the remaining seat or seats shall become vacant. Such vacancy or vacancies shall be notified by the Governor in the Gazette.
- (2) If a member of the Regional Council resigns his seat by writing under his hand addressed to the Chairman, his seat shall become vacant.
- (3) If for a period of thirty days a member of the Regional Council is without permission of the Council, absent from all meetings thereof the Council may declare his seat vacant. In that case, the Chairman shall communicate such declaration to the Governor through the Sub-Divisional Officer, Lungleh and the member concerned.

Provided that in computing the said period of thirty days no account shall be taken on any period during which the Council is prorogued or is adjourned for more than three consecutive days.

- (4) Where a seat becomes vacant under the provisions of sub-rule (2) or (3) the Governor shall, by notification in the Gazette, declare it to be so vacant.

17. Disqualification for membership

- (1) A person shall be disqualified for being elected, as and for being a member of the Regional Council –
 - (a) if he is a salaried servant of the Government of India or the Government of any State specified in the first Schedule to the Constitution or is an employee of the Regional Council or of a District Council.
 - (b) if he is of unsound mind and stands so declared by a competent Court, or such other authority as may be recognised by the Governor;
 - (c) if he is an undischarged insolvent;
 - (d) if he is not a citizen of India or has voluntarily acquired the citizenship of a foreign State or is under any acknowledgement of alligiance or adherence to a foreign State;
 - (e) if whether before or after the commencement of these rules, he has been convicted or has in proceedings for questioning the validity or regularity of an election, been found to have been guilty of any offence or corrupt or illegal practice which has been declared by rule 190 or rule 191 to be an offence or practice entailing disqualification for membership of the Regional a Council of an Autonomous Region, unless such period has elapsed as has been provided in that behalf in the said rule 190 or rule 191, as the case may be;

- (f) if, whether before or after the commencement of these rule, he has been convicted by a Court in India of any Office and sentenced to transportation or to imprisonment for not than less two years, unless a period of five years, or less such period as the Governor may allow in any particular case, has elapsed since his release;
- (g) if, having been nominated as a candidate for the Regional Council or having acted as an election agent of any person so nominated, he has failed to lodge a return of election expenses within the time and in the manner prescribed in rule 155 unless five years have elapsed from the date on which the returned ought to have been lodged or the Governor has removed the Disqualification;
- (h) if, having held any Office under the Government of India or any State or the District Council of any autonomous district or the Regional Council, he has whether before or after the commencement of these rules, been dismissed for corruption or disloyalty to the State, unless a period of five years have elapsed since his dismissal;

Provided that –

- (i) a disqualification under clauses (a) or clause (f) of this sub-rule shall not, in the case of a person who becomes so disqualified by virtue of a conviction or convictions and a sentence and is at the date of the disqualification a member of the Regional Council, take effect until three months have elapsed from the date of such disqualification or, if within these three months an appeal for revision is brought

in respect of the conviction or the sentence, until that appeal or petition is disposed of ;

- (ii) a disqualification under clause (g) of this sub-rule shall not take effect until the expiration of two months from the date by which the return of the election expenses ought to have been lodged or of such longer period as the Governor may, in any particular case, allow ;
- (iii) a disqualification under clause (g) of this sub rule may, in the case of any of the candidates for the first elections under these rules, be removed by the Governor for reasons to be recorded by him in writing.

- (2) For the purpose of this rule, a person shall not be deemed to be an employee of a District or Regional Council by reason only of his being a member of the Executive Committee of that District or Regional Council.
- (3) Nothing in this rule shall restrict the power of the Governor to nominate a person who is a salaried servant to be a member of the Regional Council but a member so nominated shall notwithstanding anything contained in rule 24 not be entitled to vote on any matter during the proceedings of the Council.

18. Decision of question on to disqualification of members : If any question arises as to whether a member of the Regional Council has become subject to any of the disqualification mentioned in sub-rule (1) of rule 17, the question shall be referred to the Governor for his decision and his decision thereof shall be final.

CHAPTER IV

Executive Committee**19. Formation of Executive Committee**

- (1) There shall be an Executive Committee of the Regional Council with the Chief Executive Member at the head and one other member to exercise the functions hereinafter specified in these rules.
- (2) There shall be a Secretary for the Regional Council who shall be appointed by the Chief Executive Member in consultation with the Regional Council.

20. Election of the Chief Executive Member

- (1) The Chief Executive Member shall be elected by the Regional Council and the other member of the Executive Committee shall be appointed by the Governor on the advice of the Chief Executive Member from amongst the members of the Regional Council. The secretary shall not be a member of the Council.
- (2) The elections of the Executive member shall be conducted according to the procedure provided for the election of the Chairman in rule 30.

Provided that the Chairman of the Regional Council shall not be eligible to hold office either as the Chief Executive Member or as a member of the Executive Committee.

21. Vacation of offices of Members of the Executive Committee

- (1) A member holding the office as Chief Executive Member or a member of the Executive Committee –
 - (a) shall vacate his office if he ceases to be a member of the Regional Council;
 - (b) may at any time, by writing under his hand submit his resignation, if such member is the Chief Executive Member, to the Governor through the Chairman, and if such member is a member of the Executive Committee to the Chief Executive Member. On his resignation being accepted by the Governor such Chief Executive Member shall be deemed to have vacated office.
- (2) When the Chief Executive Member vacates or resigns his office under sub-rule (1), the other member of the Executive Committee shall also cease to hold office as such and a new Executive Committee shall be constituted in accordance with the provisions of rule 20;

Provided that until a new Chief Executive Member has been elected and the Executive Committee reconstituted, the Governor may, notwithstanding anything contained in sub-rule (1) of rule 19, authorise any one or more than one member or members of the Regional Council to carry on the duties of the Executive Committee, or may make such other arrangement as he thinks proper for carrying on the work of the Regional Council.

22. Removal of Members of the Executive Committee

- (1) The Executive Committee shall be collectively responsible to the Regional Council and may be removed on a vote of no confidence passed by a majority of the members of the Regional Council at a meeting specially convened for the purpose.
- (2) In case of removal of the Executive Committee, a Chief Executive Member for the new Executive Committee shall be elected within 48 hours by the Regional Council, and when this has been done the Chairman shall forthwith submit a report to the Governor through the Sub-Divisional Officer, Lungleh.
- (3) If the Regional Council fails to elect the Chief Executive Member within the time specified under sub-rule (2), the Governor shall appoint any member of the Council to be the Chief Executive Member and one other member of the Council to be the Member of the Executive Committee. The Executive Committee so constituted shall function until it is replaced by an Executive Committee constituted in accordance with rule 20.

PART III**CONDUCT AND PROCEDURE OF BUSINESS****CHAPTER I****General**

- 23. Oath or Affirmation by Members** – Every member of the Regional Council shall, before taking his seat, make

and subscribe before the Subdivisional Officer, Lungleh or some person appointed in this behalf by the Governor, an oath or affirmation according to the form set out below –

Form of Oath or Affirmation – “I.A.B. having been selected/nominated a member of the Regional Council, do swear in name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will faithfully discharge the duty upon which I am about to enter.”

- 24. Voting in Regional Council** – Save as otherwise provided in the Constitution and in these rules, all questions at any sitting of a Regional Council shall be determined by a majority of votes of the members present and voting other than the Chairman or a person acting as such :

Provided that the Chairman or a person acting as such shall not vote in the first instance, but shall have and exercise a casting vote in the case of equality of votes.

- 25. Power of the Regional Council to act notwithstanding vacancies** – The Regional Council shall have power to act notwithstanding any vacancy in the membership thereof, any proceedings in the council shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled to do so sat or voted or otherwise took part in the proceedings.

- 26. Quorum –**

(1) The Quorum to constitute a meeting of the Regional Council shall be four.

- (2) It at any time, during a meeting of the Regional Council there is no quorum, it shall be the duty of the Chairman or a person acting as such either to adjourn or suspend the meeting until there is a quorum.

27. Conduct of Executive functions –

- (1) The Executive functions of the Regional Council shall be vested in the Executive Committee.
- (2) All orders or instruments made or executed by the Executive Committee shall be expressed as having been made by the order of the Regional Council. Every such order or instrument shall be signed by the Chief Executive Member or the Member of the Executive Committee authorised in writing by the Chief Executive Member in this behalf and such signature shall be deemed to be the proper authentication of such order or instrument.

28. Functions of Executive Committee –

- (1) The Executive Committee shall dispose of all matters falling within its purview, except certain matters hereinafter specified, which shall be referred to the Regional Council for final approval.
- (2) The matter excepted under sub-rule (1) are :-
 - (a) Cases involving any important change in the administrative system of the Pawi-Lakher Autonomous Region or any important departure from the accepted policy or practices :
 - (b) proposals for making regulations, rules or laws as authorised under the provisions of the Sixth Schedule :

- (c) cases which seriously affect or not likely to affect seriously the peace or good Government of the autonomous region or affect or are likely to affect relations with any such area;
- (d) cases affecting the relations of Government and the Mizo District Council with the Regional Council;
- (e) all correspondences of importance with the Government and the Mizo District Council;
- (f) all important appointments.

Provided that if at any time, except when the Council is not in session, an emergency arises which renders it necessary for the Executive Committee to take immediate action in respect of any matter or matters specified in clauses (a), (c), (d), (e) and (f) of sub-rule (2) of that rule, the Executive Committee may take such action thereon as the emergency appears it to require, but every such case shall be laid before the Regional Council at its next session.

29. Transaction of business of the Executive Committee –

- (1) Each Member of the Executive Committee shall be entrusted with specific subjects, the allocation of the subjects being made by the Chief Executive Member. The Executive Committee shall be collectively responsible for all Executive Orders issued in the name of the Regional Council in accordance with these rules, whether such orders are authorised by individual Member of the Executive Committee on a matter appertaining to his subject or as a result of discussion at a meeting of the Executive Committee, or howsoever otherwise.

- (2) The Chief Executive Member will be in charge of the Regional Council Fund, and his functions for this purpose shall be as follows :-
 - (a) he shall generally advise on all matters touching receipts and expenditures of the Regional Council;
 - (b) he shall be responsible for all matters relating to financial; procedure and the application of the principles of sound finance;
 - (c) he shall prepare the budget of the Regional Council and deal with all matters relating to budget procedure and the forms and contents of the financial statements;
 - (d) he shall be responsible for the "Ways and Means" position of the Regional Council.

CHAPTER II

Election of Chairman

30. Election of Chairman :-

- (1) When at the beginning of the new Regional Council or owing to the vacancy in the office of the Chairman, the election of Chairman is necessary, the Governor shall fix a date for holding the election, and the Subdivisional Officer, Lungleh or the Secretary as the case may be, shall send to every member notice of the date so fixed.
- (2) The Subdivisional Officer, Lungleh or any officer authorised by him in this behalf shall preside over the

first meeting of the Regional Council pending the election of the Chairman.

The Chairman of the meeting shall then invite proposals from the members present for election of Chairman. If however, there are more than one proposal, the Chairman shall put the proposals to voting. Votes may be taken by show of hands or by ballots. In case of equality of votes, the person presiding over the meeting shall select the Chairman by drawing lot.

31. **Temporary Chairman** – At the commencement of every session, the Chairman shall nominate from amongst the members of the Council a panel of not more than two Chairmen, any one of whom may, in order in which he had been nominated, preside over the Council in the absence of the Chairman.
32. **Power of person presiding** – Any temporary Chairman, when presiding over the Regional Council, shall have the same powers as the Chairman when so presiding, and all references to the Chairman in these rules shall, in such circumstances, be deemed to be references to any such person so presiding.

CHAPTER III

Meetings of Regional Council

33. **Summon of the Regional Council :-**
 - (1) The Chairman shall summon the Regional Council to meet once in six months.

- (2) The duration of the Meetings shall be determined by the Chairman.
- (3) In the event of an emergency, the Chairman of the Council may summon the Council oftener and at shorter notice than what has been provided in sub-rule (4) with the prior approval of Governor.
- (4) The Chairman shall cause a notice appointing the date, hour and place for such meeting signed by the Secretary of the Regional Council to be served on each member at least thirty days before the date fixed for the meeting.
- (5) Notwithstanding anything contained in this rule, nothing shall restrict the power of the Governor to summon a meeting of the Regional Council at any time he deems fit.

34. Language of the Regional Council :-

- (1) A member may address the Council in any of the languages spoken in the area over which the Pawi-Lakher Autonomous Regional Council exercises jurisdiction, or in any recognised language of the State.
- (2) If any member desires to address the Council in a language not intelligible to the majority of the members thereof, he may, with the permission of the Chairman, do so, and the Chairman shall cause the speech thus delivered translated in such manner as he deems convenient.

Explanatin :- For the purpose of this rule, 'recognised language' shall include the following languages, viz, Assamese, Hindi, Bengali and English.

- 35. A member to rise when speaking :-** A member shall rise when he speaks and shall address the Chairman.
- 36. Limitations on debate :-**
- (1) The matter of every speech shall be strictly relevant to the subject under discussion before the Regional Council.
 - (2) A member while speaking shall not –
 - (i) reflect upon the conduct of the President of India or any Governor (as distinct from the Government of which he is the head) or any Court of law in the exercise of its Judicial functions;
 - (ii) Utter treasonable or seditious words;
 - (iii) Use offensive expressions regarding the Union or any State Legislature;
 - (iv) refer to any matter of fact on which a Judicial decision is pending;
 - (v) make a personal charge against the Chairman or another member; or
 - (vi) use his right of speech, after due warning from the Chairman, for the purpose of wilfully and persistently obstructing the business of the Regional Council.
- 37. Point of order :-** Any member shall be at liberty to call the attention of the Chairman on a point of order even when a member is addressing the Council. On a point of order being passed the member addressing the Council shall resume his seat until the question has been decided by the Chairman. There shall be no discussion on a point

or order and the ruling of the Chairman shall be final.

38. Power to order withdrawal of member :-

- (1) The Chairman shall preserve order and have all powers necessary for the purpose of enforcing decision on all points.
- (2) He may direct any member whose conduct is, in his opinion disorderly to withdraw immediately from the Regional Council, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting. If any member is ordered to withdraw a second time in the same session, the Chairman may direct the member to absent himself from the meeting of the Regional Council for any period not longer than the remainder of the session, and the member so directed shall absent himself accordingly.
- (3) The Chairman may, in case of grave disorder arising in the Regional Council suspend any sitting for such time as may be determined by him.

39. List of business :-

- (1) A list of business for each day of the sitting shall be prepared by the Secretary and shall be circulated to all members before the sitting.
- (2) No business not included in the list of business for the days shall be transacted at any meeting without the leave of the Chairman.
- (3) The member of the Council shall submit, in writing, to the Chairman at the close of a session a list of business they propose to bring in the next session.

40. Vacation of seats by members for continuous absence –

- (1) If a member finds that at any time he is unable to attend the meetings of the Regional Council for a period of thirty consecutive days computed in the manner provided in sub-rule (3) of rule 16, he shall apply to the Chairman for permission of the Regional Council to be so absent.
- (2) Such application shall be disposed of as if were a motion under chapter V of this Part.
- (3) The Secretary shall inform the member, as soon as possible, of the decision of the Council on his application.
- (4) If a member is absent without permission from the meetings of the Regional Council for a period of thirty consecutive day or more, computed in the manner provided in sub-rule (3) of rule 16, the Chairman shall bring that fact to the notice of the Regional Council. The Regional Council shall then decide as to whether the seat of the absent member should be declared vacant in the manner provided in sub-rule (2).
- (5) If the Regional Council declares the seat of the member to be vacant, the Secretary shall communicate such declaration to the Governor through the Subdivisional Officer, Lungleh and to the member concerned.
- (6) The Secretary shall keep a list showing attendancer of each member and such list shall be made a vailable for inspection by members.

CHAPTER IV

Questions

41. **Time for question** – The first hour of every meeting shall be available for asking and answering of questions.
42. **Notice of question** – A member who wishes to ask a question shall give notice in writing to the Secretary at least 15 (fifteen) clear days before the meeting of the Regional Council at which he desires to put the questions and shall, together with the notice submit a copy of the questions which he wishes to ask.

Provided that the Chairman may, with the consent of the Chief Executive Member allow a question to be put at shorter notice than fifteen days or extend the time for answering the question to a subsequent meeting.

43. **Power to disallow questions** – (1) The Chairman may, within the period of notice, disallow any question or any part of the question on the ground that it relates to a matter which is not primarily the concern of the Council.
44. **Subject matter of question** –
- (1) A question may be asked for the purpose of obtaining information on a matter of public concern within the special cognizance of the member to whom it is addressed.

No question shall be asked in regard to any of the following subjects –

- (i) any matter which is under adjudication by a Court of Law having jurisdiction in any part of the Union of India; and

- (ii) any matter relating to the can not of any Judge or any Magistrate in the discharge of his duties.
- (2) If any doubt arises whether any question is or is not within the restriction imposed by sub-rule (1), the Chairman shall decide the point and his decision shall be final.
- (3) In order that a question may be admissible it shall satisfy the following conditions namely –
- (i) is shall not bring in any name or make any statement not strictly necessary to make question intelligible;
 - (ii) if is contains a statement by the member himself, the member asking it shall make himself responsible for the accuracy of the statement;
 - (iii) it shall not contain arguments, inferences, ironical expressions or defamatory statement;
 - (iv) it shall not ask for any expression of opinion or the solution of a hypothetical proposition;
 - (v) it shall not relate to the character or conduct of any person except in his official or public capacity;
 - (vi) it shall not be of excessive length;
 - (vii) it shall not be a request for action;
 - (viii) it shall be precisely and definitely expressed;
and
 - (ix) it shall be asked with the objects of eliciting information pure and simple.

- 45. Questions regarding controversy with higher authorities :-** In matters which are or have been the subjects of controversy between the State Government and the Regional Council no question shall be asked except as to matters of fact, and the answer shall be confined to a statement of facts.
- 46. Charman to decide admissibility of questions –** The Chairman shall decide on the admissibility on a question under rule 44 and may disallow any question which in his opinion, is an abuse of the right of questioning or is in contravention of the rules.
- 47. Questions of absent member –** The Chairman may, in his discretion, allow the questions of an absent member to be put by another member duly authorised to do in writing. In all such cases, previous intimation of such authority shall be given to the Chairman.

CHAPTER V

Motions

- 48. Motions –**
- (1) A matter requiring the decision of the Regional Council shall be brought forward by means of a question put by the Chairman on a motion proposed by a member.
 - (2) Votes may be taken by show of hands or by voice or division.
- 49. Admissibility of motions –**The Chairman shall decide on the admissibility of a motion and shall disallow any

motion, if in his opinion, it does not comply with the provision of the rules regarding the admissibility of motions.

50. Identical motions –

- (1) A motion shall not raise a question substantially identical with one on which the Council has given a decision in the same session. The Chairman's decision on the point whether the question is substantially identical with the previous one shall be final.

Explanation – The Council shall not be deemed to have given decision in respect of a Bill unless it has either passed the Bill into law or rejected the Bill.

- (2) Where substantially identical motions stand in the names of two or more members the Chairman, unless the members have agreed, shall decide whose motions shall be moved and another motions shall thereupon be deemed to be withdrawn.

- 51. Order of speeches –** After the member who moves the motion has spoken, the Chairman shall read out the motion to the Council after which other members including the members of the Executive Committee may speak on the motion in such order as the Chairman may direct.

52. Amendments –

- (1) An amendment shall be relevant to and within the scope of the motion to which it is proposed.
- (2) An amendment shall not be moved which has merely the effect of a negative voice.

- (3) The Chairman may refuse to put an amendment which is, on his opinion, frivolous.

53. Order of Amendment -

- (1) When an amendment to any motion is moved or when two or more such amendments are moved, the Chairman shall before taking the sense of the House thereof state or read to the Council the terms of the original motion and of the amendment or amendments proposed.
- (2) It shall be in the discretion of the Chairman to put first to the vote either the original motion or any of the amendments which may have been brought forward.

54. Division of motions – When any motion involving several points has been moved and discussed, it shall be in the discretion of the Chairman to divide the motion and put each or any point separately to the vote as he may think fit.

55. Withdrawal of motions –

- (1) A member who has moved an original motion and of amendment may withdraw the same and thereafter there shall be no further discussion on it.
- (2) If at the time of putting the question on a motion or any amendment to the motion to the vote of the Council the mover is absent, it shall be considered to have been withdrawn by him.

56. Procedure of debate – If debated and not withdrawn, the Chairman shall again read the motion when taking the same of the Council upon it.

57. Closure – At any stage in the debate upon any motion any member may request the Chairman to close the debate and put the motion to the vote of the Council. When such a request has been made, if the Chairman is satisfied –

- (1) that the debate has already proceeded to a length which is consistent with the reasonable exercise of the right of free speech; and
- (2) that the request is in accordance with the wish of two-thirds of the members present; he may close the debate and put the motion to the vote

58. Motion of no confidence in the Executive Committee –

- (1) A motion expressing want of confidence in the Executive Committee or a motion disapproving the policy of the Executive Committee in regard to any particular matter may be made with the consent of the Chairman and subject to the restriction that the member making the motion shall present to the Secretary a written notice of the motion before the commencement of the sitting of the day.
- (2) If the Chairman is of opinion that the motion is in order, he shall read the motion to the Council and shall request those members who are in favour of leave being granted, to rise in their places and, if not less than one fourth of the members present rise accordingly, the Chairman shall intimate that leave is granted and that the motion will be taken on such day, not being more than two days and not less than twenty-four hours from the time at which leave is asked for, as he may appoint.

- (3) If less than one fourth of the members present rise, the Chairman shall inform the member that he has not leave of the Council.

CHAPTER VI

Legislation

59. Power for Legislation –

- (1) The Regional Council shall make or amend laws, regulations and rules in respect of matters falling within its purview as specified in the Sixth Schedule to the Constitution.
- (2) All such proposals to make or amend laws, regulations and rules shall be introduced in the Regional Council in the form of Bills.

60. Introduction of Bills –

- (1) Bill shall be introduced on behalf of the Executive Committee by any member of the Executive and such bill shall hereinafter be referred to as “official Bills.”

Bill may also be introduced by another members of the Regional Council in their individual rights and such bills shall hereinafter be referred to as “private members’ Bill.”

- (2) The Chief Executive Member, subject to the provisions of sub-rule (3), shall cause every official Bill (together with the statement of objects and reasons accompanying it) to be published in the Gazette not less than thirty days before commencement of the session of the Regional Council in which the Bill is to

be introduced, and also cause the Bill to be published for the information of the public in the Region in such manner as he may deem appropriate, in which case it shall not be necessary to move for leave to introduce the Bill, and if the Bill is afterward introduced, it shall not be necessary so publish it again.

- (3) [a] No Bill shall be introduced in the Regional Council without the prior approval of the Governor. Copies of all official and private members Bills shall be sent to the Governor through the Deputy Commissioner, sufficiently in advance, at least before publication in the Gazette, and no Bill shall be published in the Gazette until the permission of the Governor to such publication has been obtained.
- [b] If it is found that any Bill refers to matters falling outside the jurisdiction of the Regional Council, the Governor may direct that the Bill shall not be introduced in the Regional Council and the decision of the Governor in this matter shall be final.
- [c] On receipt of the orders of the Governor that a Bill shall not be introduced in the Regional Council, the Chairman of the Council not allow the Bill to be introduced.

61. Notice of Motions for leave to introduce Bill –

- (1) No private members' Bill shall be introduced in the Regional Council unless the leave of the Council has been sought for and granted for the introduction of the Bill in the manner hereinafter laid down.

- (2) Any member other than a member of the Executive Committee desiring to move for leave to introduce a Bill shall give notice of his intention and shall, together with the notice submit a copy of the Bill and a full Statement of Objects and Reasons to the Secretary to the Regional Council.
- (3) The period of notice of a motion for leave to introduce a Bill under this rule shall be thirty days before the opening of each session counting the opening day as the first and reckonin backwards.

62. Notice of private members' Bill—copy to Executive Committee – Whenever a member other than a Member of the Executive Committee gives notice of his intention to move for leave to introduce a Bill, the Secretary shall forthwith sent a copy of the Bill and Statement of Objects and Reasons to the Member of the Executive Committee concerned.

63. Publication – As soon as may be after a Bill has been introduced, the Bill, unless it has already been published shall be published in the Gazette.

64. Motion for leave to introduce Bill –

- (1) As soon as may be after the notice of a motion under sub-rule (2) of rule 61 has been received, the Chairman shall fix a date for the consideration of the motion by the Regional Council.

On the day appointed for the consideration of the motion the member who has given notice of the motion shall move for the leave of the Council to introduce in Bill.

- (2) If a motion for leave to introduce a Bill is opposed; the Chairman after permitting, if he think fit, a brief explanatory statement from the member who moves and from the member who apposed the motion, may without further debate, put the question thereon
- (3) If such motion the carried, the Secretary shall read the title of the Bill and the Bill shall thereupon be deemed to be introduced in the Council.

65. Motion after introduction – When a Bill is introduced, or on some subsequent occasion, the member in-charge may one of the following motions in regard to the Bill, namely :–

- (a) that it be taken into consideration by the Council either at once or at some further day to be than mentioned; or
- (b) that it be referred to a Select Committee; or
- (c) that it be circulated for the purpose of eliciting opinion thereon :

Provided that if a member gives notice of a particular motion specified in (a), (b), and (c), he shall not be permitted to move a different motion :

Provided further that no such motion shall be made untill after copies of the Bill have been made available for the use of all members, and that any member may object to any such motion being made unless copies of the Bill have been so available for seven days before the motion is made and such objection shall prevail, unless the Chairman in his discretion allows the motion to be made.

66. Person by whom motions in respect of Bills may be made :-

- (1) No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member-in-charge of the Bill and no motion that a Bill be referred to a Select Committee or be circulated or re-circulated for the purpose of eliciting opinion thereon shall be made by any member other than the member-in-charge except by way of amendment to a motion made by the member-in-charge.
- (2) For the purposes of this rule "member in charge of the Bill" means in the case of an official Bill, any member acting on behalf of the Executive Committee and, any in other case, and member who has introduced the Bill.

67. Discussion of Bill—First Reading :

- (1) On the day on which any such motion is made or any subsequent day to which the discussion is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle.
- (2) At this stage no amendment for the bill may be moved, but if the member-in-charge moves that the Bill –
 - (a) be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon before a date to be mentioned in the motioned ; or

- (b) be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion.
- (3) Where a motion that a Bill be circulated for the purpose of eliciting opinion has been carried in the council and the Bill has been circulated in accordance with that direction and opinion have been received thereon before the date mentioned in the motion, the member-in-charge, if he wishes to proceed with the Bill thereafter, must move that the Bill to referred to a Select Committee, unless the Chairman, in his discretion, allows a motion to be made that the Bill be taken into consideration.

68. Composition of Select - Committee :

- (1) The member of the Executive Committee who is concerned with the subject and the member who introduced the Bill, shall be members of the Select Committee.
- (2) The other member of the Select Committee shall be named in the motion proposing reference to the Committee and their appointment shall be subject to the vote of the Council.
- (3) The member of the Executive Committee concerned shall ordinarily be the Chairman of the Committee.
- (4) In the case of an equality of votes, the fact of such equality shall be reported in the proceedings.
- (5) A Select Committee may hear expert device and representatives of special interests effected by the measure before them.

- (6) It may for this purpose, require any person residing within the limits of the Regional Council to attend before it as witness or to produce before it such papers and records as it may think necessary and thereupon a requisition in writing shall be sent to the person concerned, or the signature of the Chairman of the Select Committee.

69. Quorum of Select Committee :-

- (1) At the time of appointment by the Council of the members of a Select Committee the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be fixed by the Council.
- (2) If at the time fixed for any meeting of the Select Committee, or if at any time during any such meeting, the quorum of members fixed by the Council is not present, the Chairman of the Select Committee shall either suspend the meeting until the quorum is present or adjourn the Committee to some future day.
- (3) Where the Select Committee has been adjourned in pursuance of the sub-rule (2) on two successive dates fixed for meeting of the Committee, the Chairman of the Select Committee shall report the fact to the Council through the Chairman of the Regional Council.
- (5) The Secretary of the Council shall be the Secretary of the Select Committee.

70. Report by the Select Committee :-

- (1) After the publication of a Bill in Gazette the Select

Committee to which the Bill has been referred shall make a report thereon to the Chairman of the Regional Council.

- (2) Reports may be either preliminary or final.
- (3) The Select Committee shall, in their report, state whether or not, in their judgement the bill has been so altered as to require re-publication.
- (4) It shall be stated in the report whether the Select Committee were unanimous or otherwise in their recommendations. The whole report shall be signed by all the members of the Select Committee.

Provided that any member of a Select Committee may record a minute of dissent on any point and, if he does so, he may either refrain from signing the report or sign it stating that he does so subject to his minute of dissent. He shall hand in his minute within such time as may be fixed by the Chairman of the Select Committee.

71. Publication of reports :- The Secretary of the Regional Council on receipt of a complete report (including minute of dissent, if any) of a Select Committee duly signed by all members of the Committee, with the Bill as amended, from the Secretary of the Select Committee, shall cause the report and the amended Bill to be made available for the use of each member of the Council, the report, with amended Bill, shall be published in the Gazette.

72. Presentation of Report :-

- (1) The report of the Select Committee on a Bill shall be presented to the Regional Council by the member-in-charge of the Bill.

- (2) In presenting a report the Member-in-charge shall, if he makes remarks, confine himself to a brief statement of fact.

73. Procedure on Report after presentation :-

- (1) After the presentation of the final report of a Select Committee on a Bill the member-in-charge may move -
 - (i) that the Bill as reported by the Select Committee be taken into consideration, but any member may object to its being so taken into consideration if a copy of the report has not been available for the use of members for seven days and such objection shall prevail, unless the Chairman, in exercise of his discretion, allows the report to be taken into consideration; or
 - (ii) that the Bill be re-committed, either –
 - [a] without limitation; or
 - [b] with respect to particular clauses or amendments only; or
 - [c] with instructions to the Select Committee to make some particular or additional provisions in the Bill.
- (2) If the Member-in-charge moves that the Bill be taken into consideration, any member may move, as an amendment, that the Bill be recommitted.

74. Proposal of Amendments. After a motion has been agreed to by the Regional Council that a Bill be taken into consideration, any member may propose an amendment of the Bill.

75. Notice of Amendment :-

- (1) If a notice of a proposed amendment has not been sent to the Secretary three clear days before the meeting of the Regional Council at which the Bill is to be considered, any member may object to the moving of the amendment, and such objection shall prevail, unless the Chairman, in his discretion, allows the amendment to be moved.
- (2) The Secretary shall cause every notice of a proposed amendment to be made available for the use of each Member.

76. Order of amendments - Second Reading :- Amendment shall ordinarily be considered in the order of the clauses to which they respectively relate.**77. Submission of Bill clause by clause :-** Notwithstanding anything in the foregoing rules, it shall be in the discretion of the Chairman, when a motion that a Bill be taken into consideration has been carried, to submit the Bill, or any part of the Bill, to the Council clause by clause when this procedure is adopted, the Chairman shall call each clause separately, and when the amendments relating to it have been dealt with, shall put the question "that this clause or (as the case may be) this clause as amended, stands part of the Bill."**78. Passing of Bills – Third Reading :-**

- (1) If no amendment be made when a motion that Bill be taken into consideration has been agreed to be the Regional Council, the Bill may at once be passed.

- (2) If any amendment be made, any member may object to the passing of the Bill at the same meeting; and such objection shall prevail, unless the Chairman in his discretion, allows the Bill to pass.
- (3) Where the objection prevails the Bill shall be brought forward again at a further meeting, and may then be passed with or without further amendment.

79. Formal revision of Bill and submission of it to Chairman for authentication and to Governor for assent :-

- (1) When a Bill has been passed by the Regional Council, the Secretary shall, if necessary, renumber the clauses, revise and complete the marginal notes thereof and make such purely formal consequential amendments therein as may be required and copy of the Bill shall be submitted to the Chairman and shall be signed by him.
- (2) After a Bill has been so authenticated by the Chairman, the Secretary shall send the authenticated copy to the Deputy Commissioner for submission to the Governor for his assent or approval; as the case may be.

80. Reconsideration of Bills returned by the Governor – When a Bill which has been passed is returned by the Governor to the Regional Council for reconsideration; the point referred for reconsideration or the amendments recommended shall be put before the Council by the Chairman and shall be discussed and vote upon in the same manner as an amendment to a Bill.

81. Effect of laws made by Regional Council :- When a Bill has been passed by the Regional Council, a copy

thereof shall be signed by the Chairman and assented to or approved where necessary, by the Governor Thereafter it shall be published in the Gazette and on such publication shall have the force of law as provided for in paragraph 11 of the Six Schedule to the Constitution.

CHAPTER VII

RESOLUTIONS

82. Notice of Resolutions :-

- (1) A member who wishes to move a resolution, except a resolution contemplated by clause (c) of Rules 12 and provided under rule 93, shall give fifteen day's notice before the opening day of the session of his intention and shall, together with the notice, submit a copy of the resolution which he wishes to move :

Provided that the Chairman, with the consent of the Chief Executive Member, may allow a resolution to be entered on the list of the business at shorter notice than fifteen days.

- (2) Immediately on receipt of the notice of a resolution under sub-rule (1) the Chairman shall send a copy of the resolution to the Subdivisional Officer. The Subdivisional Officer shall have power to disallow any resolution on the ground that it relates to matters falling outside the jurisdiction of the Regional Council. When a resolution is so disallowed, the Subdivisional Officer shall intimate the fact to the Chairman :

Provided that in the event of any difference of opinion arising between the Subdivisional Officer and the Chairman, the Subdivisional Officer shall refer the matter to the Governor and pending the receipt of the orders of the Government thereon the Chairman shall not include the resolution in the list of business.

83. Power to disallow resolution – On intimation of the disallowance of any resolution under subrule (2) of rule 82 the Chairman shall disallow the resolution. The Chairman shall also, within the period of notice, disallow any resolution or any part of a resolution, on the ground that it relates to a matter which is not primarily the concern of the Regional Council and, if he does so, the resolution, or part of the resolution shall not be placed on the list of business.

84. Restriction on subject for discussion :–

- (1) Every resolution shall be in the form of a declaration of opinion by the Regional Council indicating, whenever necessary a line of action to be taken by the Council.
- (2) No resolution shall be moved in regard to any matter falling outside the jurisdiction of the Regional Council and to any of the following subjects, namely –
 - (a) any matter which is under adjudication by a Court of law having jurisdiction in any part of the Union of India;
 - (b) any matter relating to the conduct of any judge or magistrate.

- (3) Subject to the provisions of sub-rule (2) of rule 82, the decision of the Chairman on the point whether any resolution is or is not within the restriction imposed by sub-rule (2) shall be final.

85. Form and contents of resolution :– Subject to the restriction imposed by these rules, any member may move a resolution relating to a matter of general public interest :

Provided that no resolution shall be admissible which does not comply with the following conditions, namely –

- [a] it shall be clearly and precisely expressed and shall raise a definite issue; and
- [b] it shall not contain arguments, inferences, ironical expressions or defamatory statement, nor shall it refer to the conduct or character of persons except in their official or public capacity.

86. Motion and withdrawal of resolution :–

- (1) A member in whose name a resolution appears in the list of business shall, when called upon; either –
- [a] decline to move, the resolution, in which case he shall confine himself to a mere statement to the effect, or
- [b] move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing on the list of business.
- (2) If the member, when called upon is absent, the resolution standing in his name shall be considered to have been withdrawn :

Provided that with the consent in writing of such absent member and with the permission of the Chairman any other member may move the resolution.

Provided further that if such a resolution stands in the name of another member present in the meeting of the Regional Council, such member may be permitted by the Chairman to move that resolution.

- 87. Limits of discussion :-** Discussion on a resolution shall be strictly limited to subject of resolution.
- 88. Amendments :-** After the resolution has been moved, any member may, subject to all rules relating to resolutions, move an amendment to such resolution.
- 89. Notice of amendment :-** If a copy of such amendment has not been sent to the Secretary two clear days before the day fixed for the discussion of the resolution, any member may object to the moving of the amendment, and such objection shall prevail, unless the Chairman, in his discretion, allows the amendment to be moved.
- 90. Withdrawal of resolution :-**
- [1] A member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the Regional Council.
 - [2] No discussion shall be permitted on a motion for leave to withdraw a resolution or an amendment thereto except with the permission of the Chairman.
- 91. Copy to Governor :-** A copy of every resolution which has been passed by the Regional Council shall be forwarded to the Governor and to the Subdivisional Officer.

92. Restrictions on moving motions and Chairman's power to disallow motion :-

- (1) Save in so far as is otherwise provided by these rules, to discussion of a matter of general public interest shall take place otherwise than on a resolution moved in accordance with the rules governing the moving of resolutions except with the consent of the Chairman and of the member of the Executive Committee in-charge of the subject matter of the resolution.
- (2) It shall not be permissible to the Chairman or to the Member of the Executive Committee concerned to give his consent to the moving of any motion in regard to any of the subjects in regard to which a resolution cannot be moved and the decision of the Chairman on the point whether any motion is or is not within the restrictions imposed by sub-rule (2) or rule 84 shall be final subject to the provisions of sub-rule (2) or rule 82.
- (3) The Chairman shall disallow any motion or part of a motion on the ground that it relates to a matter which is not primarily the concern of the Regional Council, and, if he does so, the motion shall not be placed on the list of business.

93. Resolution for removal of Chairman :-

- (1) Any resolution to remove the Chairman from office shall be read to the Regional Council by the person presiding who shall then request the members who are in favour of leave being granted to move the resolution, to rise in their places and, if not less than

one fourth of the members present rise accordingly, the person presiding shall allow the resolution to be moved. If less than one-fourth of the members rise, the person presiding shall inform the member who may have given the notice that he has not leave of the Council to move it.

- (2) If leave is granted for the resolution to be moved, it shall be disposed of in accordance with the procedure laid down in the foregoing rules of this chapter.

CHAPTER VIII

Financial Procedure

94. Annual financial statement of the Regional Council :-

- (1) The Chief Executive Member shall, in respect of every financial year, cause to be laid before the Regional Council a statement of the estimated receipts and expenditure for that year which are to be credited to, or is to be met from, the Regional Council Fund of an autonomous region hereinafter referred to as “the Regional Council Budget”
- (2) All estimates of expenditure from the Regional Council Fund shall be submitted in the form of demands for grants to the Regional Council, and the Regional Council shall have power to assent, or refuse to assent, to any demand, or to assent to any demand subject to a reduction of the amount specified therein,
- (3) No demand for a grant shall be made except on the recommendation of the Chief Executive Member.

95. Authentication of Schedule of authorised expenditure :-

- (1) The Chief Executive Member shall authenticate by his signature a Schedule specifying the grant made by the Regional Council under the preceding rule.
- (2) The Schedule so authenticated shall be placed before the Regional Council but shall not be open to further discussion or vote in the Council.
- (3) Subject to the provisions of the next succeeding rule, no expenditure from the Regional Council Fund shall be made unless it is specified in the Schedule so authenticated.

96. Supplementary statement of expenditure :- If in respect of any financial year further expenditure from the Regional Council Fund becomes necessary over and above the expenditure are therefore authorised for that year, the Chief Executive Member shall cause to be laid before the Regional Council a supplementary statement showing the estimated amount of that expenditure, and the provisions of the preceding rules shall have effect in relation to that statement and that expenditure as they have effect in relation to the Regional Council Budget and the expenditure mentioned therein.**97. Preparation and presentation of the Regional Council Budget :-**

- (1) The Regional Council Budget shall be prepared in the form prescribe in Appendix III.
- (2) A separate demand shall be made in support of the grant proposed for each Section of the Regional

Council. Each such demand shall contain, first, a statement of detailed estimates under each grant, divided into items.

- (3) The Regional Council Budget in respect of every financial year shall be presented to the Regional Council on such day in the preceding financial year, as the Chairman in consultation with the Chief Executive Member may appoint.
- (4) A copy of the Regional Council Budget shall be supplied to the members at least seven days before the day on which it is presented.

98. Discussion of the Regional Council Budget, time limit for speeches and voting for demands :-

- (1) One a day or days to be appointed by the Chairman, subsequent to the day on which the Budget is presented and for such time as the Chairman may allot for the purpose, the Regional Council shall be at liberty to discuss the Budget as a whole or any question of principal involved therein, but the Budget shall not be submit to the vote of the Regional Council.
- (2) The Member in charge of Financial Affairs shall have a general right of reply at the end of discussion.
- (3) The Chairman may, if he thinks fit, prescribe a time limit for speeches.
- (4) The voting of demands for grants shall take place on such day or days as the Chairman may allot for the purpose.

99. Vote on account, votes of credit and exceptional grants :-

- (1) Notwithstanding anything contained in the preceding rules, on any day or days subsequent to the presentation of the Regional Council Budget which may be appointed by the Chairman for the purpose, motions may be made for making –
 - [i] any grant in advance in respect of the estimated expenditure for the part of any financial year.
 - [ii] a grant for meeting and the unexpected demand upon the resource of the autonomous region when on account of the magnitude of the indefinite character of the service the demand cannot be stated with details ordinarily given in the Regional Council Budget,
 - [iii] an exceptional grant which forms no part of the current service of any financial year.
- (2) Such demands shall be dealt with by the Regional Council in the same way as if they were demands for grants and the provision of rules 95 { 1 } and [2] and 97-98 shall mutatis mutandis apply.
- (3) The Chief Executive Member shall; within such financial year, cause to be laid before the Regional Council a statement of expenditure incurred out of a grant or grants made under sub-rule (1), and the approval of the Council shall be obtained thereon.

100. Motion at this stage :-

- (1) No motion for appropriation can be made except on

the recommendation of the Chief Executive Member communicated to the Regional Council.

- (2) Motions may be moved at this stage to refuse or reduce the total amount of any demand for grant, or to omit or reduce the amount of any item or unit of appropriation composing the grant.
- (3) When tabling a motion for reduction or omission of the amount of an item, a member shall give full details of the reduction or omission proposed by him with reference to original provision in the Budget.
- (4) When several motions for substantial reductions relating to the same demand are offered, they shall be discussed in the order in which the heads so they relate appear in the Budget originally, but this arrangement may be altered by the Chairman at his discretion to expedite the business of the Council.

101. Notice of motions :- Notice of a motion to refuse or reduce any demand shall be given to the Secretary of the Council one day before the day on which the demand is to be taken up for consideration.

102. Statement of supplementary or additional grants :-

- (1) A demand may be presented to the Regional Council for an additional or supplementary grant in respect of any demand for grant to which the Council has previously refused its assent, or in respect of the amount which the Council has previously reduced and the Chairman, in consultation with the Chief Executive Member, may allot a day or days for discussion and voting on the demands therefor.

- (2) The consideration of the business in the foregoing sub rules shall not, on the day or days allotted therefor, be anticipated by any motion for adjournment or be interrupted in any manner whatsoever, nor shall any dilatory motion be moved in regard thereto.

CHAPTER IX

Miscellaneous

103. Proceedings of the Regional Council :- The Secretary of the Regional Council shall cause a full report of the proceedings of the Council at each of its meetings to be prepared as soon as possible after such meeting. He shall send a copy of such report to every member and to the Governor through the Subdivisional Officer, Lungleh and the Chief Executive Member.

- [2] A copy of such report, when confirmed and signed by the Chairman, shall be the record of the proceedings of the Regional Council.

104. Other duties :- In addition to the other duties specially empowered by these rules, it shall be the duty of the Secretary –

- (1) to take charge of all records of the Regional Council;
- (2) to keep the books of the Regional Council;
- (3) to keep a list of business for the time being before the Regional Council;
- (4) to superintend the typing or printing of all papers ordered by the Chairman to be typed or printed,

- (5) to make out from time to time a list of all Select Committee's sittings;
 - (6) to assist the Regional Council and all Select Committees in such manner as they may direct;
 - (7) to write all letters directed by the Chairman of the Regional Council to be written.
- 105. Chairman's power in matters not provided for in these rules :-** The Chairman shall have power to regulate the conduct of business in the Regional Council in all matters not provided for in the Constitution or in these Rules.

PART IV

ELECTIONS

CHAPTER I

General Provisions

- 106. Holding of General Elections – Reconstitution of Regional Council :-**
- (1) A general election shall be held under these rules of the Regional Council on the expiration of the duration of the Council or on its dissolution as the case may be.
 - (2) The Governor shall, by notification in the Gazette, call upon every constituency to elect a member or members in accordance with these rules within such time as may be specified in such notification :

Provided that, if the Governor thinks fit, the said notification may be issued at any time not being more than six months prior to the date on which the du-

ration of the Regional Council would expire in the ordinary course of events.

107. Publication of Result of the General Election :- As soon as may be, after the expiration of the time fixed for the election of members at any general election, the names of the members elected for various constituencies at such election shall be notified in the Gazette.

108. Casual vacancies :-

- (1) When the seat of an elected member of a Regional Council becomes vacant or the election of a member is declared void; the Governor shall, by notification in the Gazette call upon the constituency to elect a person to fill the vacancy within such time as may be specified in the notification, and these rules shall apply, as far as may be to the procedure for the election of a member to fill such a vacancy.
- (2) If a vacancy occurs in the case of nominated member, the Governor shall nominate to the vacancy a person having the necessary qualification under these rules.

109. Effect of disqualifications :- If any person, having been elected or nominated, is found to have been subject at the time of his election or nomination to any of the disqualifications prescribed in rule 9 or 17, the Governor may, if the disqualification has not removed, declare, by notification in the Gazette, his seat to be vacant.

CHAPTER II

Franchise – Electoral Rolls**110. Qualifications for electors :-**

- (1) Save in so far as is other wise provided in these rules, very person who is :-
 - (a) a citizen of India and ordinary resident in a constituency for not less than 180 days during the qualifying period;
 - (b) not below the age of twenty-one on the qualifying date;
 - (c) not of unsound mind and does not stand so declared by a competent Court, or such other authority as may be empowered by the Governor in this behalf;
 - (d) for the time being not disqualified from voting under the provisions of any law relating to corrupt or illegal practices and other offences in connection with elections;

shall be entitled to vote at any election to the Regional Council of the Pawi-Lakher Autonomous Region.

Provided that a person not belonging to Scheduled Tribes specified in item 1 of Part I Assam; of the Schedule to the Constitution (Scheduled Tribes) Order, 1950, as modified in 1956 shall bot be entitled to so vote unless he is permanently resident within the territorial limits of the said autonomous region.

- (2) The Expression “ordinarily resident” used in sub-rule (1) shall have the same meaning as assigned to it by

section 20 of the Representation of the People Act, 1950 (XLIII of 1950).

- (3) For the purpose of this rule, a person shall be deemed to be permanently resident within the territorial limits of the Pawi - Lakher Autonomous region if he has taken up his fixed or permanent habitation with his family of made his permanent home in that region and resided continually therein for a period of not less than twelve years on the qualifying date. A person shall not be deemed to have taken up his fixed habitation in the region merely by the reason of his having resided in connection with his civil or military service or in exercise of any profession or calling.
- (4) For the purpose of his rule, 'the qualifying date' and 'the qualifying period' in the case of the electoral roll prepared under these rules, shall be the first day of January of the year in which it is so prepared, and the period beginning of the first day of January and ending on the thirty first day of December of the preceding year respectively.

111. Electoral roll for every Constituency :-

- (1) There shall be an electoral roll for every territorial constituency for election to the Regional Council of the Pawi-Lakher Autonomous Region.
- (2) Electoral Roll :- Subject to the provisions of rule 110 the electoral roll for the areas comprised within the Pawi-Lakher Autonomous Region for the purpose of elections to the Legislative Assembly of Assam prepared in accordance with the provisions of the Representation of the People Act, 1950 [XLIII of

1950] and Rules issued thereunder time to time, shall be deemed to be the electoral rolls for the corresponding areas of that Pawi-Lakher Autonomous Region for the purpose of elections to the Regional Council of the said Pawi-Lakher Region.

Provided that the name of any person who becomes disqualified for voting under the provision to sub rule [i] of rule 110 shall be forthwith struck off the roll in which it is included :

Provided further that if the disqualification for voting under the proviso to rule 110 [1] incurred by any person whose name has by the reason thereof been struck off the said electoral roll is in force, the name of such persons shall forthwith be reinstated in that electoral roll.

- (3) The Returning Officer shall make the correction or reinstatement, as the case may be, referred to in the provision to sub rule [2] or shall cause such correction or reinstatement to be made, in all copies of the electoral roll which will remain in his custody and possession for the purpose of elections to the Regional Council. But before such correction or reinstatement is made the Returning Officer or any other Officer authorised by him in writing in this behalf shall make a list of such persons whose names are to be struck off or reinstated in the electoral roll, as the case may be, and cause it to be hung up in the Court of the Deputy Commissioner or the Subdivisional Officer, as the case may be, or in such other place or places as the Returning Officer may direct.

Any person entered in the list may lodge with the Returning Officer an objection against his name being struck off the electoral roll or a claim against the name of a person being admitted within a period of fifteen days from the date on which the list is hung up. The Returning Officer or any other Officer authorised by him in this behalf shall summarily dispose of such objection or claim petitions within a period not exceeding two weeks from the date of submission of the petitions.

Every correction or reinstatement so made or caused to be made in an electoral roll shall be initialled and dated by the officer who makes the correction or reinstatement.

- (4) The electoral roll of a constituency of the Assam Legislative Assembly or so much of it as relates to the areas comprised within a constituency of the Regional Council of the Pawi-Lakher Autonomous Region shall, as and where corrected under sub-rule (3), be deemed to be the electoral roll for such constituency of the Regional Council and shall remain in force for the same period as an Assembly electoral roll.

CHAPTER III

Returning Officers

112. List of Returning Officers :-

- (1) The Subdivisional Officer posted at Lunglei shall be the Returning Officer for the constituencies of the Pawi-Lakher Regional Council.

- (2) The Deputy Superintendent of Police, Lunglei, and the Assistant to the Deputy Commissioner, Lungleh, may subject to the Control of the Returning Officer perform all or any of the functions of the Returning Officer in the said constituencies :

Provided that such person shall not perform any of the function of a Returning Officer which relate to the acceptance or scrutiny of a nomination paper or to the counting of votes and declaration and publication of the results of election unless the Returning Officer is unavoidably prevented from performing the same.

- 113. Appointment of Additional Returning Officer :-** Notwithstanding anything in the foregoing rule 112, the Governor may, by notification in the Gazette, appoint such other officer or officers as Returning Officer for the purpose of elections to the Regional Council of the Pawi-Lakher Autonomous Region.
- 114. Decision of Returning Officer final :-** The decision of the Returning Officer shall be final but while there is time, the Returning Officer may refer to the Government any difficult question as to the interpretation of any electoral rule or any provisions of the Constitution.

CHAPTER IV

Nomination of Candidates

- 115. Nomination and steps to be taken thereunder :-**
- (1) No person shall be nominated as a candidate for election to fill a seat in the constituency if he is not qualified to be elected to fill the seat.

- (2) The Governor shall appoint for each constituency –
 - [a] a date, not later than three weeks after the date of the notification calling upon the constituency to elect a member or members, for the nomination of candidates and for the scrutiny of nomination;
 - [b] a further date or dates on which a poll shall, if necessary, be taken; and the dates so fixed shall be notified in the constituency in such manner as the Returning Officer thinks fit.
- (3) On or before the date so appointed for the nomination of candidates, each candidates shall, either in person or by his proposer or seconder, between the hours of eleven o'clock in the forenoon and three o'clock in the afternoon deliver to the Returning Officer or to such other person as may be authorised in this behalf by the Returning Officer a nomination paper completed in the form specifies in Appendix IV and subscribed by the candidate himself as assenting to the nomination and by two person referred to in sub-rule [4] as proposer and seconder.
- (4) Any person whose name is included in the electoral roll of the constituency and who is not subject to any disabilities for being so included under the Constitution or any rules made thereunder, may subscribe as proposer or seconder as many nomination papers as there are vacancies to be filled but not more.
- (5) Every nomination paper delivered under sub-rule (3) shall contain a declaration in writing subscribed by the candidate that the candidate has appointed or

does thereby appoint as his election agent for the election either himself or some one other person who is not disqualified under rule 195 for the appointment and who shall be named in the declaration; and no candidate shall be deemed to be duly nominated unless such declaration is made on the nomination paper :

Provided that notwithstanding that more than one nomination paper is presented by or on behalf of a candidate, only one such declaration by the candidate shall be necessary.

- (6) Every nomination paper shall also contain a declaration in writing subscribed by the candidate that he has selected a particular symbol from the list specified in Appendix V to these rules, and no candidate shall be deemed to be duly nominated unless such declaration is made on the nomination paper.
- (7) Any nomination paper which is not received before three o'clock in the afternoon on the date fixed by the Governor for the nomination of candidates, shall be rejected.
- (8) The Returning Officer or any other Officer authorised by the Returning Officer in writing shall, on receiving a nomination paper under sub-rule (3) sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him, and shall as soon as may be thereafter, cause to be affixed in some conspicuous place in his office a notice of all the nominations received containing descriptions, same as those contained in the nomination paper both of the candidates and of the persons

who have subscribed the nomination paper as proposers and seconders.

- (9) Any candidate may withdraw his candidature by notice in writing subscribed by him and delivered by him either in person or by his proposer or seconder to the Returning Officer at anytime before the Returning Officer has completed the preparation of the list of valids nomination under sub-rule (4) of rule 117. A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be renominated as a candidate for the same election.

Note : A telegram addressed to the Returning Officer purporting to come from a candidate giving notice of withdrawal of his candidature may be provisionally accepted as a notice in writing. Unless, however, such telegram is followed up as soon as possible by a notice of withdrawal subscribed by the candidate himself the telegram should be disregarded and the candidate should be deemed not to have withdrawn his candidature.

- (10) The Return Officer or other person authorised shall, on receiving a notice of withdrawal under sub-rule (9) as soon as may be, cause a notice of the withdrawal to be affixed in some conspicuous place in the office.

116. Deposit on nomination :-

- (1) At the time of delivery of a nomination paper under sub-rule [3] of rule 115 each candidate shall submit with the nomination paper a Treasury Chalan showing that a deposit of Rs. 150 [Rupees one hundred

and fifty] has been made by him in the Treasury, and no candidate shall be deemed to be duly nominated unless such deposit has been made.

- (2) If a candidate by whom or on whose behalf the deposit referred to in sub-rule [1] has been made withdraws his candidature or if the nomination of any such candidate is refused, the deposit should be returned to the candidate; and if any candidate dies before the commencement of the poll any such deposit shall be returned to his legal representative.
- (3) If in a constituency, a candidate by whom or on whose behalf the deposit referred to in sub-rule [1] has been made, is not declared elected and the number of votes polled by him does not exceed one eighth of the total number of votes polled, the deposit shall be forfeited to Government.
- (4) The deposit made by or on behalf of a candidate who is not elected, shall, if it is not forfeited under sub-rule (3), be returned to the candidates as soon as may be after the publication of the result of the election in the Gazette; and the deposit made by or on behalf of a candidate who is elected shall be so returned as soon as may be after the publication of the result of the election in the Gazette.

117. Scrutiny of nomination :-

- (1) After 3 P.M. on the date fixed by the Governor for the nomination of candidates under sub-rule (2) of rule 115 the candidates, their election agents one proposer and one seconder of each candidate, and one other person, duly authorised in writing by each

candidate, but no other person, may attend at such place as the Returning Officer may appoint and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates which have been delivered within the time and in the manner laid down in rule 115.

- (2) [a] The Returning Officer shall then examine the nomination papers and shall decide all objections which be made to any nomination and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary refuse any nomination on any of the following grounds :-
- [i] that the candidate is not qualified to be elected to fill the seat under the Constitution or any rules thereunder;
 - [ii] that a proposer or seconder is disqualified from subscribing a nomination paper under sub-rule (4) of rule 115;
 - [iii] that there has been a substantial failure to comply with any of the provisions of rule 115 or 116;
 - [iv] that the candidate or any proposer or seconder is not substantially indential with the person whose number of name of the electoral roll is given in the nomination paper as the number or name of such candidate's proposer or seconder;

- [v] that the signature of the candidate or any proposer or seconder, is not genuine or has been obtained by fraud.

The Returning Officer shall not, however, refuse any nomination paper on the ground of a slight technical defect such as the wrong spelling of a name, and shall accept any nomination paper in respect of which he is satisfied that the candidate is qualified to be chosen to fill the seat and has been proposed and seconded by person who are qualified to do so.

- [b] For the purpose of this rule, the production of a certified copy of an entry made in the electoral roll of any constituency shall be conclusive evidence of the right of any voter named in that entry to stand for election or to subscribe a nomination paper, as the case may be, unless it is proved that the candidate or the proposer or seconder is otherwise disqualified.
- (3) (a) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and, if the nomination paper is rejected, shall record in writing a brief statement of his reason for such rejection.
 - (b) The scrutiny shall be completed if possible, on the day fixed for the nomination of candidates, but if it cannot be completed on that day it may be adjourned to the following day or, if the following day is a holiday, to the next working day.

- (4) On completion of the scrutiny of nominations, the Returning Officers shall forthwith examine the symbols selected by the candidates, and if such symbols are found to conflict with each other or will any symbols already assigned, he shall allocate the symbols in conformity, as far as possible, with the wishes of the candidates and if necessary by lot, and his decision in this respect shall be final. Each candidate or his election agent shall at the same time be informed of the symbol assigned to him and shall be given a specimen thereof. The Returning officer shall then prepare a list of valid nominations indicating therein the symbols assigned to each candidate and shall cause such list to be affixed in some conspicuous place in his office.

118. Death of candidate before poll :- If a candidate who has been duly nominated under these rules dies after the date fixed for the scrutiny of nominations and before the commencement of a poll, the Returning Officer shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Governor and all proceedings with reference to the election shall be commenced anew in all respects as if for a new election :

Provided that no fresh nomination shall be necessary in the case of a candidate whose nomination had been valid at the time of the countermanding of the poll.

119. Effect of nominations :-

- (1) If the number of candidates who have been duly nominated and who have not withdrawn their candidature exceeds that of the seats to be filled, the

Returning Officer shall forthwith publish in the Gazette and in such other manner and in such places in the constituency as the Returning Officer may consider necessary, the names of the candidates as given in the nomination papers in alphabetical order and the symbols assigned to each candidate, and a poll shall be taken in the manner provided in the succeeding rules.

- (2) If the number of such candidates is equal to the number of seats to be filled, the Returning Officer shall declare all such candidates to be duly elected to fill those seats.
- (3) If the number of such candidates is less the number of seats to be filled, the Returning Officer shall declare all such candidates, if any to be elected, to fill as many of those seats as possible, and the Governor shall, by a notification in the Gazette, call upon the constituency to elect a person or persons to fill the remaining seat or seats, as the case may be, within such time as may be specified in the notification :

Provided that where the constituency having already called upon under this sub-rule, has failed to elect a person or the requisite number or persons, to fill the seat or seats, the Governor shall not be bound again to call upon the constituency to elect a person or persons until such time, if any, as he thinks fit.

CHAPTER V

VOTING AT ELECTIONS

120. System of voting Symbol System :-

- (1) Voting at election to a Regional Council shall be conducted by a symbol system. The Symbols to be utilised for the purpose shall be those as specified in Appendix V to those rules.
- (2) At elections in every constituency where a poll is taken votes shall be given by ballot in the manner hereinafter provided in this rules, and no votes shall be received by proxy.

121. Right to vote :-

- [1] No person who is not, and except at expressly provided by these rules, every person who is, for the time being included in the electoral roll of any constituency shall be entitled to vote in that constituency.
- [2] No person shall vote at an election in any constituency if he is for the time being not intitled to vote under the provisions of rule 110 read with rules 192, 193 and 194.
- [3] No person shall vote at an election in more than one constituency and if a person votes in more than one constituency, his vote in all such constituencies shall be void.
- [4] No person shall vote at any election in the some constituency more than once, notwithstanding that his name may have been included in the electoral roll

for that constituency more than once, and if he does so vote, all his votes in that constituency shall be void.

- [5] No person shall vote at any election if he is confined in a prison, whether under a sentence of imprisonment or transportation or otherwise, or is in the lawful custody of the police.

122. Hours of commencement and close of poll :-

- (1) Governor shall, by notification in the Gazette, fix the hour at which the poll shall commence and the hour at which it shall close on the date or dates fixed for the poll.

The hours fixed for polling shall also be published in the constituency in such manner as the Returning Officer may consider necessary.

- (2) The Returning Officer may, for sufficient cause and with the previous consent of the Governor, postpone the date or extend the period fixed for polling.
- (3) No person shall be permitted to record his vote except at the polling station of the area to which according to the electoral roll he belongs and within the fixed hours for which the polling station remains open.

123. Selection of polling station :-

- (1) The Returning Officer shall select for each constituency such number of polling stations as he may deem necessary, and shall allot a distinctive number to each of them.

- (2) Not less than seven days before the date or the first date of the dates fixed for the election the Returning Officer shall post at his office and publish in such manner as he may consider necessary, a list showing the polling station as selected, the polling area for which each such station has been selected and the hours during which each such station shall remain open for the recording of votes.

124. Appointment of presiding officers and polling officers :-

- (1) The Returning Officer shall appoint a presiding officer for each polling station and such other persons (herein after referred to as polling officers) to assist the presiding officer as he thinks necessary :

Provided that if a polling officer is absent from the polling station the presiding officer may appoint any person who is present at the polling station to be the polling officer during the absence of the former officer and inform the Returning Officer accordingly :

- (2) A polling officer may, if so directed by the presiding officer perform all or any of the duties assigned to a presiding officer under these rules.
- (3) If the presiding officer, owing illness or other unavoidable cause is obliged to absent himself from the polling station,? shall be performed by such polling officer as has been previously authorised by the Returning Officer to perform such duties during any such absence.

125. Duties of Presiding Officers at polling station :-

- (1) The Presiding officer shall keep order at the polling station, shall see that the election is fairly conducted, shall regulate the number of voters to be admitted at one time, and shall exclude all other persons except –
 - (a) the polling officers, the candidate and one agent of each candidate (hereafter referred to as the polling agent) appointed in writing by the candidate, and authorised in this behalf by the Returning Officer;
 - (b) police officers or other public servants on duty, and
 - (c) such other persons as the Presiding Officer may from time to time admit for the purpose of indentifying electors.
- (2) At least seven days before the date fixed for the poll every candidate shall forward to the Returning Officer of the constituency the names of one agent and two relief agents appointed in writing by the candidate, to act as his polling agents at each polling station or polling booth :

Provided that, in case of the revocation of appointment of, or the death of the polling agent, the Returning Officer may allow the appointment of another agent in his place at any time before the poll is taken.

- (3) The presiding officer shall close the polling station at the hour fixed in that behalf under rule 122 (i so as to prevent the admission thereto of any other voter after hour, provided that all voters admitted within

the polling station before it is so closed shall be entitled to have their votes recorded.

- (4) **Adjournment of poll in emergencies** :— If at an election the proceedings at any polling station provided under rule 123 are interrupted or obstructed by any riot or open violent or if at an election it is not possible to take the poll at any polling station on account of any natural calamity or any other sufficient cause, the Presiding Officer for such polling station shall announce and adjournment of the poll to a date to be notified later, and where the poll is so adjourned by a Presiding Officer, he shall forthwith inform the Returning Officer concerned.
- (5) Whenever a poll is adjourned under sub-rule (4), the Returning Officer shall immediately report the circumstances to the Governor and shall, as soon as may be, with the previous approval of the Governor, appoint a day on which the poll shall recommence and fix the polling station at which, and the hours during which the poll will be taken, and shall not count the vote casts at such election until such adjourned poll shall have been completed.
- (6) In every such case as aforesaid, the Returning Officer shall notify in such manner as he may consider necessary the date, place and hours of polling fixed under sub-rule [5].
- (7) **Fresh poll in the case of destruction, etc. of ballot boxes** :— If at any election any ballot box or boxes is or are unlawfully taken out of the custody of the Returning Officer or of any Presiding Officer,

or is or are in any way tempered with, or is or are either accidentally or intentionally destroyed or lost, the election to which such ballot box or boxes relate shall be void, but only in respect of the polling at the polling station or stations provided under rule 123 at which such ballot box or boxes was or were used and no further.

- (8) Whenever the polling at any polling station or stations shall become void under sub-rule [7], the Returning Officer shall, as soon as practicable after the act or event causing such voidance has come to this knowledge, report the matter to the Governor and shall, with the previous approval of the Governor, appoint a day for the taking of fresh poll in such or every such polling station and fix the hours during which the poll will be taken, and shall not count the votes cast at such election until such fresh poll shall have been completed.
- (9) In every such case as aforesaid the Returning Officer shall take a fresh poll in such or every such polling station on the day so appointed by him in shall notify the day so appointed and the hours of polling so fixed by him in such manner as may consider necessary, and the provisions of these rules or orders, if any, may thereunder shall apply to every such fresh poll as they apply to the original poll.

126. Arrangement for secrecy of voting :- Each polling station shall be furnished with a compartment in which voters can record their votes screened from observation.

127. Provision of ballot boxes and symbols at Polling Station :-

- (1) Each polling station shall be provided with necessary ballot boxes by the Returning Officer.

- (2) A ballot box shall be common for all the candidates and there shall be only one ballot box in use at a time. This ballot box shall be placed somewhere in the middle of the polling station in full view of the Presiding Officer and the Polling Agents.
- (3) There shall be no symbol pasted on the ballot box. Every ballot box used at a Polling Station shall bear labels, both inside and outside, marked with –
 - (a) the serial number, if any, and name of the constituency;
 - (b) the serial number and name of the polling station;
 - (c) the serial number of the ballot box (to be filled in at the end of the poll on the label outside the ballot box only) and
 - (d) the date of the poll.
- (4) The Returning Officer shall provide each polling station with necessary ballot boxes, copies of the relevant part of the election roll, ballot papers and instruments for stamping a mark on ballot papers by the electors.
- (5) Outside and inside each polling station, there shall be affixed in a conspicuous place by the Presiding Officer, before the commencement of the poll, a notice showing the name of each candidate in English issued by the Returning Officer together with the symbol assigned to him.

128. Ballot boxes to be lock up and sealed before commencement of poll :- Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box be-

ing unlocked. The Presiding Officer at any polling station, immediately before the commencement of the poll, shall show the ballot box empty to such persons as may be present at such station so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such manners as to prevent its being open without breaking such seal and shall keep it so locked and sealed.

129. Maintenance of secrecy of voting :- Before the polling station is open for the recording of votes, the Presiding Officer shall read to such persons as may be present the provisions of rules 180 and shall explain the substance thereof in the language of languages as may be understood by such persons.

130. Procedure before recording of votes :-

- (1) The voter on entering the polling station shall first approach the polling officer in charge of that portion of electoral roll in which the voter's name appears. Such polling officers shall ascertain the voter's name, address, his father's name or her father's name, husband's name and such other particulars as appear on the roll, and having checked those with the roll, call out the number, name and description of the voter as printed. He shall then place against the number or the voter in the roll a short horizontal line to denote that the voter has received the ballot paper or papers to which he is entitled. No other mark shall be made on the roll.
- (2) If a voter's name, address, or any other particular given in the roll is found to be incorrect owing to a misprint or clerical error, the Presiding Officer may interpret the entry in the roll so as to overlook any such clerical or printing error but shall record his reason in writing for so doing in each case.

- (3) On the elector's name being called out the Polling Officer in charge of ballot papers shall ensure that distinguishing mark bearing the serial number, if any, of the constituency and the serial number of the polling station, is stamped on the top right hand side corner just opposite to the serial number printed on the back of the ballot paper, i.e., that side of it which does not contain the names of the candidates. Then the Polling Officer shall fold the ballot paper first in the middle of the ballot paper vertically so that the names of the candidates are covered up within the fold. He shall fold. He ballot paper a second time horizontally. Then he shall unfold the ballot paper and hand it over to the elector together with the instrument for making the ballot paper.

The Polling Officer shall throughly instruct the elector to fold the ballot paper in the some manner as done by him and to stamp only once on the symbol of the candidate for whom he wishes to vote.

- 131. Person to be present at the polling station to assist the Polling Officers identifying voters :-** At every polling station arrangements shall be made for a suitable village or town officer, such as a Patwari (Mandal), Gaonbura, Siem, Sardar, Dolai, Chief, Sarpanch. Village Headman, etc., to be present when the votes of such village appear to record their votes. Such officers shall sit in close proximity to the Polling Officer in charge of the electoral roll and shall assist him in identifying the voters calling his attention to any case of impersonation or misrepresentation when the matter shall at once be referred to the Presiding Officer.

- 132. Manner of recording votes after receipt of the Ballot Paper** :—The elector on receiving the ballot paper and the instruments shall go inside the polling compartment and record his vote, by stamping it only once on the symbol of the candidate for whom he wishes to vote, and then fold it in the same manner as it was indicated by the Polling Officer at the time of issue and come out of the polling compartment with folded ballot paper and the instrument and insert the ballot paper into the ballot box and hand over the instrument to the Polling Officer.
- 133. Recording of votes of infirm voters** :— The Presiding Officer shall give such assistance as may be required to any voter who by reason of infirmity or ignorance is unable to vote in the manner prescribed.
- 134. Ballot paper when invalid** :— Any ballot paper on which any mark has been made by which the voter may be identified shall be invalid.
- 135. Form of ballot paper** :— The ballot paper shall be in the form in Appendix VI and shall contain the names and symbol of all the contesting candidates in English. The ballot papers shall be serially numbered.
- 136. Tendered votes** :— If a person representing himself to be a particular voter named on the electoral roll applies for a ballot paper after another person has voted as such voter, the applicant shall, after duly answering such question as the Presiding Officer may ask, be entitled to cast a ballot paper in the same manner as any other voter. Such ballot paper (hereinafter referred to as a tendered ballot paper), instead of being put into the ballot box shall be given to the Presiding Officer and endorsed by him with the name of the

voter, constituency, and his number on the electoral roll and shall be set aside in a separate packet and shall not be counted by the Returning Officer. The name of the voter and his number in the electoral roll and the name and distinctive number of the polling station to which the roll relates shall be entered in a list in the form at Appendix VII which shall bear the heading "TENDERED VOTES LIST." The person tendering such ballot paper shall sign his name and address thereon or affix his thumb impression against the relevant entry in the list. The tendered ballot paper shall be in the form in Appendix VII.

137. Challenged votes :-

- (1) If any candidate, election agent or polling agent declares and undertakes to prove that any person, by applying for a ballot paper and claiming to be a particular voter, has committed the offence of personation, the presiding officer shall require such person to enter in the list of Challenged Votes, which shall be in the form in Appendix IX, his name and address, or if he is unable to write, to affix his thumb impression thereto, and may further require such person to produce evidence of identification.

Provided that no action shall be taken by the presiding officer under this sub-rule unless a sum of Rupees ten has been deposited in cash with the presiding officer by the candidate or such agent for each challenge he makes.

- (2) If the person so challenged refuses to comply with such requisition he shall not be allowed to vote, but if he does so comply and on being questioned whether

he is the person enrolled in the electoral in force and whether he has already voted at the present election in this Constituency, answers the former question in the affirmative and latter in the negative, he shall be allowed to vote after he has been warned of the penalty for personation.

- (3) If the presiding officer after such inquiry on the spot as he thinks necessary is of opinion that the challenge made by the candidate or his agent under sub-rule [1] is frivolous and has not been made in good faith, he shall direct the deposit made under sub-rule [1] to be forfeited to Government and his order in this respect shall be final.
- (4) If the deposit made under sub-rule (1) is not forfeited under sub-rule (3), it shall be returned to the person by whom it was made after the close of the poll on the day on which it is made.
- (5) The Presiding Officer shall in every case, whether or not the person challenged is allowed to vote, make a note of the circumstances in the list of "Challenged Votes."

138. Supply of duplicate ballot paper when it is spoiled through inadvertance :— A voter has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as a ballot paper may, on delivering it to the Presiding Officer and satisfying him of the inadvertance, obtain another ballot paper in place of the spoiled paper.

139. Provisions of voting by posts

- (1) A person who is an elector for any Regional Council Constituency and is by reason of his being employed on duty in connection with election the Assam Legislative Assembly and House of People or the District Council and/or Regional Council at a Polling Station at which he is not ordinarily entitled to vote may cast his vote by post. In that case, he shall submit an application in the form as prescribed in Appendix X to the Returning Officer at least seven days before the date fixed for the poll in that Constituency in which he is an elector and if the Returning Officer is satisfied that the claim is just and that the applicant is entitled to vote in that Constituency, he shall issue a ballot paper to him.
- (2) While allowing such an application the Returning Officer shall at the same time cause suitable note to be recorded in each copy of the electoral roll in which the applicant is registered and which is intended to be used at the polling station where the applicant has been permitted to give his vote at the election by postal ballot papers.
- (3) The Returning Officer shall, by registered post, send to each such elector a ballot paper in the form in Appendix XI and shall enter on the counterfoil of each such ballot paper, the name of the elector to whom the ballot paper is sent his serial number in the electoral roll. The particulars in the ballot paper shall be printed in English or may be typed if the number of electors entitled to vote by postal ballot paper, at the election, is small and the names of the candidates

shall be printed or types, as the case may be, on the ballot paper in the same order in which the names of such candidates appear in the list of valid nominations at the elections published under sub-rule (i) of rule 119.

- (4) Along with the ballot paper, the Returning Officer shall also send –
 - (a) a declaration form in Appendix XII
 - (b) a cover addressed to himself in the form in Appendix XIII
 - (c) an envelope with the number of the ballot paper entered on its face, and ;
 - (d) a letter in the form in Appendix XIV.

The returning Officer shall have the number of the ballot paper entered at the left-hand bottom corner of the cover in the form in Appendix XIII.

- (5) The ballot paper together with the cover, declaration form, an envelope and a letter shall be sent to each such elector at the address given in the application made by him under rule 139 (I)
- (6) After all the ballot papers have been issued under this rule, the Returning Officer shall seal up in a packet the counterfoils of all such ballot papers and record on such packet the description of its contents and the name of the Constituency and the date of the election to which it refers.
- (7) No election shall be invalidated by reason that the elector has not received his ballot paper provided

that a ballot paper has been issued to him in accordance with this rule.

140. Method of voting by post

- (1) Every elector on receiving his ballot paper sent under rule 139 if he desires to vote at the election, shall record his vote thereon and sign the declaration form in accordance with the instruction in the letter sent with the ballot paper.
- (2) The elector shall then place the ballot paper in the envelope, close the envelope and enclose it in cover and send the cover to the Returning Officer in the accordance with the instructions contained in the later so as to reach him before 5 p.m. on the date fixed in this behalf by the Returning Officer. Any cover which is not received by the Returning Officer before 5 p.m. on the date so fixed shall be rejected, all such rejected covers shall be kept in a separate sealed packet by the Returning Officer. The Returning Officer shall keep all other covers containing postal ballot paper so received in safe custody until the commencement of the counting of votes.
- (3) An elector shall obtain the attestation of his signature on the declaration form by a Magistrate to whom the elector is personally known or to whose satisfaction the elector has been identified.
- (4) When a ballot paper and other connected paper sent by post under rule 139 are for any reason returned undelivered the paper so returned to the Returning Officer together with counterfoils of ballot papers in question shall be marked as cancelled by the Return-

ing Officer. The papers so cancelled except the counterfoils of the ballot paper shall be kept in a separate envelope set apart for the purpose.

141. Delevery of ballot boxes, etc., to the Returning Officer after the close of poll

The presidings officers of each polling station as soon as practicable after the close of the poll, shall, in the presence of the candidates or polling agents who may be present, make up into separate parcels and seal with his own seal and the seal of the candidates or agents as may desire to affix their seal –

- (1) Each ballot box in use at each station unopened but with the key attached and the slit in the lid sealed up;
- (2) The unused ballot papers ;
- (3) the tendered ballot papers ;
- (4) the spoilt ballot papers ;
- (5) the marked copy of the electoral roll ;
- (6) the tendered votes list
- (7) the list of challeged votes ; and
- (8) the envelopes referred to in rule 139 ;

and shall deliver such packets or cause them to be delivered to the Returning Officers.

142. Statement by Presiding Officer after close of the poll

The packets shall be accompanied by a statement in the form given in Appendix XV by the Presiding Officer show-

ing the number of ballot papers issued unused, spoiled and tendered ballot paper and ballot paper dealt with under rule 139.

CHAPTER VI

Counting of Votes

142. Appointment of time, place and date for counting votes :

- (1) The Governor shall appoint a time and place for the countings of votes, and the Returning Officer shall give notice thereof in writing to all candidates and their election agents.
- (2) If, at the time appointed, all the ballot boxes have not been received by the Returning Officer, or if or any other unavoidable cause he is unable to proceed with the counting of votes, he shall with the previous consent of the Governor postpone the counting to some other date and time appointed by the Governor. The Returning Officer shall give notice thereof in writing to all candidates and election agents.

144. Persons who may be present at the counting of votes :

No person shall be allowed to be present at the counting of votes except the Returning Officers and such persons as he may appoint to assist him in counting the votes. The candidates and either their election agent or one representative of each candidate authorised in writing by the candidate, shall have right to be present at the time of counting.

145. Procedure to be followed at the counting of votes:

On the day and the time appointed under rule 143, the Returning Officer shall, before he commences to count the votes, read out the provisions of rule 180 to such persons as may be present and shall then proceed as follows –

- (a) All the ballot boxes of a particular Constituency shall be separated from those allotted to any other Constituency and numbered and placed together, and the counting of all the ballot papers contained in the boxes allotted to the same Constituency shall be completed before the counting of the ballot papers contained in the boxes allotted to any other Constituency is commenced.
- (b) At first the Returning Officer shall satisfy himself that none of the ballot boxes has in fact been tampered with.
- (c) If the Returning Officer is satisfied that any ballot box has in fact been tampered with, he shall not count the ballot papers contained in that box.
- (d) Before any ballot box is opened all the persons present shall be allowed to inspect the paper seal or such other seal as might have been affixed thereon and to satisfy themselves that the boxes are in order.
- (e) After such inspection, all the ballot boxes shall be opened one by one and the ballot papers contained therein shall be sorted out candidate-wise and all the rejected ballot paper shall be kept together separately and the Returning Officer or a person authorised by him shall distribute the ballot paper

conveniently to the persons appointed to assist in the counting of votes.

- (f) When the ballot papers have been so distributed but not before, the Returning Officer shall allow the candidates or their election agents, or representatives as may be present, the reasonable opportunity to inspect without handling the ballot papers, and shall, on every ballot paper which is rejected endorse the word "rejected" If any candidate of the rejection, he shall also record on the ballot paper the grounds for the rejection.
- (g) The Returning Officer shall as far as practicable proceed continuously with the counting of the votes and shall during any necessary intervals during which the counting has to be suspended, place ballot paper packets, and other documents relating to the election under his own seal and the seal of such candidates or election agents as may desire to affix them and shall cause adequate precaution to be taken for their custody.
- (h) After the counting of the ballot box of a constituency has been completed, the Returning Officer shall open all covers and envelopes containing the postal ballot papers for each candidate in a statement. He shall then also show in the said statement, the number of votes received by each candidates and shall seal in a separate packets all the ballot papers in support of each candidate, and all the rejected ballot papers, and write on each such packet the description of its content and the name of the Constituency and the date of election to which it refers.

146. Grounds for rejection of ballot papers

- (1) The Returning Officer shall reject a ballot paper –
 - (a) if it bears any mark or writing by which the elector can be indentified, or
 - (b) if no vote is recorded thereon, or
 - (c) if votes are given on it in favour of more than one candidate, or
 - (d) if the mark indicating the vote thereon is placed in such manner as to make it doubtful to which candidate the vote has been given, or
 - (e) if it is a spurious ballot paper, or
 - (f) if it is so damaged or mutilated that its identity as genuine ballot paper cannot be established,
 - (g) if it bears a serial number, or is of a design different from the serial numbers or as the case may be, design of the ballot paper authorised for use at the particular polling station, or
 - (h) if it does not bear the mark which it should have borne under the provision of sub-rule (3) of rule 130;

Provided that where the Returning Officer is satisfied that any such defect as is mentioned in clause (g) or clause (h) has been caused by any mistake or failure on the part of a Presiding Officer, or Polling Officer, the ballot paper shall not be rejected merely on the ground of such defects.

147 Declarations of candidates elected

- (1) When the counting of votes has been completed,

the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of valid votes has been given to be elected :

Provided that upon the application of any candidate or his election agent or his duly authorised representative a recount shall be made before the Returning Officer makes the declaration, but the Returning Officer may reject any such application as may appear to him to be frivolous recording at the same time the grounds for such rejection.

- (2) If an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared elected, one additional vote shall be given by the Returning Officer to the candidate, or, as the case may be, the candidates, selected by lot drawn in the presence of Returning Officer in such manner as he may determine.

148. Report of result of election to Government and publication of the result in Gazette :-

The Returning Officer shall without delay report the result of every election in a constituency of which he is the Returning Officer to the Secretary to the Government of Assam, Tribal Areas and Welfare of Backward Classes Department and to such other Officer as the Governor may direct and the name or names of the candidates elected shall be published in the Gazette under the signature of Returning Officer.

149. Verification of statement submitted by the Presiding Officers

The Returning Officer shall not open the sealed packets of the tendered votes, the marked copy of the electoral roll. He shall verify the statement submitted by the Presiding officers under rule 142, by comparing them with the statement prepared under clause (h) of rule 145 and the latter with the number of counted votes and the tendered votes and rejected ballot papers, the unused ballot papers in his possession and the tendered votes list, shall then reclose and reseal each packet which has been opened by him and shall record on each packet a description of its contents and the date of the election to which it refers.

150. Return by the Returning Officer

The Returning Officer shall then prepare and certify a return setting forth :-

- (1) the result of the verification referred to in rule 149 ;
- (2) the name of the candidates for whom valid vote have been given ;
- (3) the number of valid given for it candidate ;
- (4) the names of the candidates declared elected ;
- (5) the number of votes declared invalid ; and
- (6) the number of tendered votes given ; and shall permit any candidate or his election agent or his authorised representative to take a copy of, or an extract from such return.

151. Return to be sent to Government

- (1) The Returning Officer shall, after reporting the result of the election under rule 148, forward the return mentioned in the preceding rule, to the Secretary to the Government of Assam, Tribal areas and Welfare of Backward Classes Department.
- (2) Copies of returns submitted by the Returning Officers shall be furnished by the Secretary to the Government of Assam, Tribal Areas and Welfare of Backward Classes Department on payment of a fee of Rs. 2 per copy.

CHAPTER VII**Election Agents and Expenses****152. Election Agent**

As provided for in sub-rule (5) of rule 115 every person nominated as a candidate at an election, shall appoint either himself or some other person who is not disqualified for such appointment, to be his election agent.

153. Revocation of appointment of election agent

- (1) The appointment of an election agent, whether he be the candidate himself or not, shall only be revoked in writing signed by the candidate and lodged with the Returning Officer and shall operate from the date on which it is so lodged.
- (2) In the event of such a revocation or of the death of any election agent whether that event occurs before

or during the election or after the election but before a return of the candidate election expenses has been lodged in accordance with the provisions of rule 155, the candidate shall appoint forthwith either himself or some other person to be his election agent, and shall give notice in writing of the appointment to the Returning Officer.

154. Accounts of agents

Every election agent shall, for each election for which he is appointed as an election agent, keep separate and regular books of account, and shall enter therein all the particulars of expenditure referred to in rule 155.

155. Return of election expenses

- (1) Within sixty days from the date of the publication of the result of an election under rule 148, there shall be lodged with the Returning Officer in respect of each person who has been nominated as a candidate for the election, a return of the election expenses of that person signed both by him and his election agent.
- (2) The return of election expenses shall be in the form given in Appendix XVI and shall contain the particulars as prescribed therein. Every such return shall be accompanied by declarations by the candidate and his election agent, which shall be in the forms contained in the said Appendix XVI and shall be made on oath before a Magistrate.
- (3) Notwithstanding anything contained in this rule, where a candidate, owing to absence from India, is unable to sign the return of election expenses and to make

the required declaration, the returned shall be signed and lodged by the election agent only and shall be accompanied by a declaration by the election agent only, and the candidate shall, within fourteen days after his return to India, cause to be lodged with the Returning Officer, a declaration made on oath in the form prescribed in Appendix XVI.

- (4) If a candidate or election agent who is required to sign the return of election expenses and declarations referred to in this rule is unable to write his name, 'sign' in relation to such person means authenticate by marking a mark as prescribed in rule 197.
- (5) Every such return shall also bear non-judicial stamps of the value of two rupees without which the Returning Officer shall not accept to the return.
- (6) The Returning Officer shall report to the Governor within fifteen days from the date by which the return of election expenses of candidates ought to have been lodged with him, whether or not, the candidates and their election agents have complied with the requirements of this rule.
- (7) On receipt of report under sub-rule (6), the Governor shall decide whether the disqualification under clause (g) of sub-rule (1) of rule 17 has, in fact, been incurred in any election to fill a seat with the result that the seat shall be declared vacant.

156. Inspection and copy of return of election expenses

When any return and declarations made in respect thereof have been lodged with Returning Officer, the Returning

Officer shall as soon as may be, cause a notice of the date on which the return and the declarations in question have been lodged, and of the time and place at which they can be inspected, to be posted in some conspicuous place in his Office and to be published in the Gazette, and any person shall, on payment of a fee of one rupee, be entitled to inspect any such return or declaration and on payment of such fee as the Governor may direct, to obtain a copy or copies thereof or of any part thereof.

157. Maintenance of record regarding return of election expenses

The Governor shall cause to be prepared in such manner, and maintained for such time as he may direct, a record showing the names of all candidates at every election under these rules and the name of the election agent of each such candidate and the date on which the return of election expenses of each candidate has been lodged with the Returning Officer.

158. Maximum of election expenses

The maximum scale of election expenses (including the personal expenses of a candidate) which may be incurred by a candidate for election in a constituency of the Regional Council shall be Rs. 4,000.

159. Maximum number and description on persons to be employed for payment in connection with election :

The maximum number of persons who may be employed for payment by a candidate in connection with an election and their description shall be as shown hereunder –

Description of persons			Maximum number of persons who may be employed for payment.
Election Agent	...	...	One.
Sub-Agents	...	...	For each polling area-One.
Polling Agents	...	...	1. For each polling station or booth-Three (two for relief) or alternatively. 2. For each polling booth-Two (one for relief)
Clerks and Messengers	...	...	For each polling station (a) One clerk and one messenger for any number upto 1,000 registered electors. (b) One additional Clerk and one additional messenger for every extra 1,000 registered electors or part thereof.

CHAPTER VIII

**Decision of Doubts and Disputes as
to the Validity of an Election****160. Definitions**

In this chapter, unless there is anything repugnant in the subject or context –

- (a) “agent” includes an election agent and any person who, on the trial of an election petition, is held by the Commissioner to have acted as an agent in connection with the election with the knowledge or consent of the candidate ;
- (b) “candidate” means a person who has been or claims to have been duly nominated as a candidate at an election, and a candidate who with the election in prospect, has held himself out as a prospective candidate, shall be deemed to have been a candidate from the time when he began so to hold himself out ;
- (c) “cost” means all costs, charge and expenses of or incidental to a trial of election petition ;
- (d) “electoral right” means the right of a person to stand or not to stand as, or to withdraw from being a candidate, or to vote or refrain from voting at an election ;
- (e) “returned candidate” means a candidate whose name has been published under these rule as duly elected ;

161. Election petition

Save as provided in rule 16 or in rule 109 no election shall be called in question except by an election petition presented in accordance with the provisions of this Chapter.

162. Presentation of the petition

- (1) An election petition against any returned candidate may be presented to the Governor –
 - (a) by any candidate or elector on any ground within sixty days from the date on which the result of the election is published in the Gazette ;
 - (b) within thirty days from the date by an officer empowered by the Governor on the ground that the election has not been a free election by reason of the large number of cases in which undue influence or bribery has been exercised or committed.

Explanation

In this sub-section, “elector” means a person who was entitled to vote at the election to which the election petition relates, whether he has voted at such election or not.

- (2) The petitioner may, if he so desires, in addition to calling in question the election of a returned candidate, claim a declaration that he himself has been duly elected, but such a declaration shall only be claimed on one or other of the following grounds :-
 - (a) that in fact the petitioner received a majority of the valid votes ; or

- (b) that, but for votes obtained for the returned candidate by corrupt or illegal practices the petitioner would have obtained a majority of the valid votes.
- (3) An election petition shall be deemed to have been presented to the Governor when it is delivered to the Secretary to the Government of Assam, Tribal Areas and Welfare of Backward Classes Department or the Deputy Commissioner of the District in which the Constituency is situated :-
 - (a) by the person making the petition ; or
 - (b) by the person authorised in writing in this behalf
 - (c) by the person making the petition ; or

163. Contents of the petition

- (1) The petition shall contain a statement in concise form of the material facts on which the petitioner relies and shall be signed by the petitioner.
- (2) The petition shall be accompanied by a list signed by the petitioner setting forth full particulars of any corrupt or illegal practice which the petitioner alleges, including as full a statement as possible to the names of the parties alleges to have committed any corrupt or illegal practice and the date and place or the commission of each such practice.

164. Deposit of security

At the time of the presentation of the petition the petitioner shall, except where the petition is presented under clause (b) sub-rule 162, enclose with the petition a

Government Treasury Chalan showing that a deposit of Rs. 100 (Rupees one hundred) has been made by him in the Treasury as security for the cost of the petition.

165. Petition when to be dismissed

If the provisions of the rule 162, 163 or 164 are not complied with, the Governor shall dismiss the petition.

166. Appointment of Commissioner

- (1) If the petition is not dismissed under foregoing rule 165, the Governor shall appoint as Commissioner, for hearing and disposing of the petition, a person who is or has been, or is eligible to be appointed, a Subordinate Judge, and thereafter all applications and proceedings in connection therewith shall be dealt with and held by such Commissioner.
- (2) When in respect of an election in a constituency more petitions than one are presented, the Governor shall refer all those petitions to the same Commissioner who may at his direction inquire into the petitions either separately or in one or more groups, as he thinks fit.
- (3) Where election petitions relate to different constituencies of a Regional Council, the Governor may refer all those petitions to the same Commissioner or may appoint one Commissioner in respect of petitions from each constituency or a group of constituencies, and the provisions of sub-rule (2) shall apply to the inquiry thereto.

167. Hearing by Commissioner

- (1) The Commissioner shall fix the time and place of hearing and shall cause a notice thereof to be served on the petitioner and on each respondent.
- (2) As regards the procedure for hearing the petition, the Commissioner shall be guided by the spirit but not by the letter of the Code of Civil Procedure, 1908, provided that –
 - (a) he shall not be required to record or have recorded the evidence in full, but shall make a memorandum of the evidence sufficient in his opinion for the purpose of deciding the case.
 - (b) he shall only be required to make such inquiry and to take such evidence as may consider necessary for the purpose of deciding the issues.

168. Withdrawal of petition

- (1) An election petition may be withdrawn only by leave of the Commissioner or, if an application for withdrawal is made before any Commissioner has been appointed, of the Governor.
- (2) If there are more petitioners than one, no application to withdraw a petition shall be made, except with the consent of all the petitioners.
- (3) When an application withdrawal is made to the Commissioner, notice thereof fixing a date for the hearing of the application shall be given to all other parties to the petition.

- (4) No application for withdrawal shall be granted if, in the opinion of the Governor or the Commissioner, as the case may be, such application has been induced by any bargain or consideration which ought not to be allowed.
- (5) If the application is granted –
 - (a) the petitioner shall, where the application has been made to the Commissioner, be ordered to pay the costs of the respondent theretofore incurred or such portion thereof as the Commissioner may think fit ;
 - (b) any person who might himself have been a petitioner may, within fourteen days of the grant of such withdrawal, apply to be substituted as petitioner in place of the party withdrawing, and, upon compliance with the conditions of rule 164 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioner may think fit.
- (6) When an application for withdrawal is granted by the Commissioner and no person has been substituted as petitioner in place of the party withdrawing under clause (b) of sub-rule (5), the Commissioner shall report the fact to the Governor.

169. Abatement or substitution on death of petitioner

- (1) An election petition shall abate only on the death of a sole petitioner or of the survivor of several petitioner.

Provided that, where such sole petitioner was an officer empowered under clause (b) of sub-rule (1) of rule 162 the proceedings may be continued by any other officer empowered in this behalf by the Governor.

- (2) Any person who might himself have been a petitioner may, within fourteen days of such abatement, apply to be substituted as petitioner, and upon compliance with the conditions of rule 164 as to security, shall be entitled to be so substituted and to continue the proceedings upon such terms as the Commissioner may think fit.

170. Abatement or substitution on death of respondent :-

If before the conclusion of the trial of an election petition the respondent dies or gives notice that he does not intend to oppose the petition, the Commissioner shall cause notice of such event to be published in the Gazette and thereupon any person who might have been a petitioner may, within fourteen days of such publication, apply to be substituted for such respondent to appose the petition, and shall be entitled to continue the proceedings upon such terms as the Commissioner may think fit.

171. Recrimination when sent claimed :- Where at an inquiry into an election petition any candidate, other than the returned candidate or any other party may give evidence to prove that the election of such candidate would have been void if he had been the returned candidate and a petition had been presented complaining of his election :

Provided that the returned candidate or such other party as aforesaid not be entitled to give such evidence

unless he has, within fourteen days from the date the submission of the election and a petition, give notice of his intention to the Commissioner and made the deposit.

- (2) Every notice referred to in sub-rule (1) shall be accompanied by the statement and list of particulars required by rule 163 in the case of an election petition and shall be signed and verified in like manner.

172. Ground for declaring election void :-

- (1) Subject to the provisions of this rule, if in the opinion of the Commissioner –
 - (a) the election of a returned candidate has been procured or induced, or the result of the election has been materially affected, by any corrupt or illegal practice; or
 - (b) any corrupt or illegal practice has been committed in the interest of a returned candidate; or
 - (c) the result of the election has been materially affected by the improper acceptance or rejection of any nomination, or by reason of the fact that any person nominated was not qualified or was disqualified for election, or by the improper reception or refusal of a vote, or by the reception of any vote which is void; or by any non-compliance with the provisions of the rules relating to the election, or by any mistake in the use of any prescribed form; or
 - (d) the election has not been a free election by reason of the large number of cases in which bribery of the undue influence has been exercised or

committed; the election of the returned candidate shall be void.

- (2) If the Commissioner reports that a returned candidate has been guilty by an agent, other than his election agent, of any corrupt or illegal practice but further reports that the candidate has satisfied him that –
 - (a) no corrupt or illegal practice was committed at the election by the candidate or his election agent, and the corrupt or illegal practices mentioned in the report were committed contrary to the orders, and without the sanction or connivance, of the candidate or his election agent;
 - (b) the candidate and his election agent took all reasonable means for preventing the commission of corrupt or illegal practices at the election;
 - (c) the corrupt or illegal practices mentioned in the report were of a trivial and limited character or took the form of customary hospitality which did not affect the result of the election; and
 - (d) in all other respects the election was free from any corrupt or illegal practice on the part of the candidate or any of his agents; then the Commissioner may find that the election of the candidate is not void.
- (3) If a person [not being entitled so to do] vote more than once at the same election, all his votes shall be deemed for the purposes of this rule to be void.

173. Report of Commissioner and procedure thereon :-

- (1) At the conclusion of the inquiry, the Commissioner shall report whether the returned candidate, or any other party to the petition who has under the provisions of these rules claimed the seat, has been duly elected and in so reporting shall have regard to the provisions of rule 172.
- (2) The report shall further include a recommendation by the Commissioner as to the total amount of costs which are payable and the persons by and to whom such costs should be paid.
- (3) The report shall be in writing and shall be signed by the Commissioner. The Commissioner shall forthwith forward his report to the Governor who, on receipt thereof, shall issue orders in accordance with the report and publish the report in the Gazette and the orders of the Governor shall be final.

174. Finding as to corrupt practices and persons guilty thereof :- Where any charge is made in an election petition of any corrupt or illegal practice, the Commissioner shall record in his report –

- (a) a finding whether a corrupt or illegal practice has or has not been proved to have been committed by any candidate or his agent, or with the connivance of any candidate or his agent, and the nature of such corrupt or illegal practice, and
- (b) the names of the persons (if any) who have been proved at the inquiry to have been guilty of any corrupt or illegal practice and the nature of such corrupt or illegal practice with any such recommendations as

the Commissioner may desire to make for the exemption of any such persons from any disqualifications they may have incurred in this connection under these rules :

Provided that no person shall be so named in the report unless he has been given a reasonable opportunity of showing cause why his name should not be so recorded.

CHAPTER IX

CORRUPT AND ILLEGAL PRACTICES

175. Major corrupt practices – The following shall be deemed to be corrupt practices for the purposes of election to the Regional Council of the Pawi Lakher Autonomous Region –

Bribery :-

- (1) Bribery, that is to say, any gift, offer or promise by a candidate or his agent, or by any other person with the connivance of a candidate or his agent, or any gratification to any person whomsoever,
 - (a) with the object, directly or indirectly or inducing –
 - (i) a person to stand or not to stand as, or to withdraw from being, a candidate at an election; or
 - (ii) an elector to vote or refrain from voting at an election, or
 - (b) as a reward to –
 - (i) a person for having so stood, or for having withdrawn his candidature; or

- (ii) an elector for having voted or refrained from voting.

Explanation :-

The term “gratification” is not restricted to pecuniar gratifications or gratifications estimable in money, and includes all forms of employment for reward; but it does not include the payment of any expenses bona fide incurred at or for the purpose of, any election.

Undue influence :-

- (2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or his agent, or of any other person with the connivance of the candidate or his agent, with the free exercise of any electoral right.

Explanation –

- (a) Without prejudice to the generality of the provisions of this clause, any such person as is referred to therein who –
 - (i) threatens any candidate or elector, or any person in whom a candidate or elector is interested, with any injury of any kind; or
 - (ii) induces or attempts to induce a candidate, or elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure, shall be deemed to interfere with the free exercise or the elected right of the candidate or elector within the meaning of this clause;

- (b) a declaration of public policy, or promise of public action or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of his clause.

Personation –

- [3] The procuring or abetting or attempting to procure by a candidate or his agent, or by any other persons with the connivance of a candidate or his agent, the application by a person for a ballot paper in the name of any other person, whether living or dead, or in a fictitious name, or a person for a ballot paper in his own name when, by reason of the fact that he has already voted in the same or some other constituency, he is not entitled to vote.

Removal of voting paper :-

- [4] The removal of a ballot paper from the polling station during polling hours by any person with the connivance of candidate or his agent.

Publication of false statement :-

- [5] The publication by a candidate or his agent, or by any other person with the connivance of the candidate or his agent, or any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.

- (6) the hiring or procuring, whether on payment or otherwise, of any vehicle or vessel by a candidate or his agent or by any other person with the connivance of a candidate or his agent the conveyance of any elector (other than the candidate himself, the members of his family or his agent) to or from any polling station provided under rule 123.

Provided that the hiring of a vehicle or vessel by an elector or by several electors at their joint costs for the purpose of conveying him or them to or from any polling station shall not be deemed to be a corrupt practice under this clause if the vehicle or vessel so hired is a vehicle or vessel not propelled by mechanical power :

Provided further that the use of any public transport vehicle or vessel or any railway carriage by any elector at his own cost for the purpose of going to or coming from any such polling station shall not be deemed to be a corrupt practice under this clause –

Explanation :- In this clause, the expression “vehicle” means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise, and whether used for drawing to her vehicles or otherwise.

- (7) The incurring or authorising by a candidate or his agent of expenditure, or the employment of any person by a candidate or his agent, in contravention of the provisions of these rules.
- (8) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or his agent, or,

by any other person with the connivance of a candidate or his agent, any assistance for the furtherance of the prospects of the candidate's election from any person serving under the Government of India or the Government of any State or the Regional Council or the Regional Council of the Pawi-Lakher Autonomous Region other than the giving of vote by such person.

176. Minor corrupt practices :- The following shall also be deemed to be corrupt practices for the purpose of election to the Regional Council of the Pawi-Lakher Autonomous Region :-

- (1) Any act specified in rule 124 when done by a person who is not a candidate or his agent or a person acting with the connivance of a candidate or his agent.

Personation –

- (2) The application by a person at an election for a ballot paper in the name of any other person, whether living or dead, or in a fictitious name, or for a ballot paper in his own name when, by reason of the fact that he has already voted in the same or some other constituency, he is not entitled to vote.

Bribery –

- (3) The receipt of or agreement to receive, any gratification whether as a motive or a reward –
 - (a) by a person for standing or not standing as, or for withdrawing from being, a candidate, or
 - (b) by any person whomsoever for himself or any other person for voting or refraining from voting, or for inducing or attempting to induce any elec-

tor to vote or refrain from voting, or any candidate to withdraw his candidature.

For the purpose of this clause the term “gratification” has the same meaning as it has for the purposes of clause (1) of rule 175.

False return –

- (4) The making of any return of election expenses which is false in any material particular, or the making of a declaration verifying any such return.

Use of, or appeal to, religious and national symbols –

- (5) The systematic appeal to vote or refrain from voting on grounds of caste, race, community or religion or the use of, or appeal to, religious and national symbols, such as, the national flag and the national emblem, for furtherance of the prospects of a candidates’ election.

177. Illegal practices :- The following shall be deemed to be illegal practices for the purposes of election to the Regional Council of the Pawi – Lakher Autonomous Region :-

Incurring expense without authority –

- (1) The incurring or authorisation by any person other than a candidate or his agent of expenses on account of holding any public meeting, or upon any advertisement, circular or publication, or in any other way whatsoever, for the purpose of promoting or procuring the election of the candidate, unless he is authorised in writing so to do by the candidate.

Hiring of liquor shops –

- (2) The hiring, using or letting, as a committee room or for the purpose of any meeting to which electors are admitted, of any meeting to which electors are admitted, of any building, room or other place where intoxicating liquor is sold to the public.

Issue of circular, etc. without address –

- (3) The issuing of any circular, placard or poster having a reference to the election which does not bear on its face the name and address of the printer and publisher thereof.

CHAPTER X

ELECTORAL OFFENCES

178. Prohibition of public meetings on the election day –

- (1) No person shall convene, hold or attend any public meeting within any constituency on the date or dates on which a poll is taken for an election in that constituency.
- (2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with fine which may extend to two hundred and fifty rupees.

179. Disturbances at election meetings –

- (1) Any person who at public meeting to which this rule applies, act or incites others to act, in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together, shall be punishable with fine which may

extend to two hundred and fifty rupees.

- (2) This rule applies to any public meeting of a political character held in any constituency to elect a member or members and the date on which such election is held.
- (3) If any police officer reasonably suspects any person of committing an offence under sub-rule (1) he may, if requested so to do by the Chairman of the meeting, require that person to declare to him immediately his name and address and, if that person refuses or fails so to declare his name and address, the police officer may arrest him without warrant.

180. Maintenance of secrecy of voting –

- (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain, and aid in maintaining, the secrecy of the voting and shall not [except for some purpose authorised by or under any law] communicate to any person any information calculated to violate such secrecy.
- (2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.

181. Officers, etc., at elections not to act for candidates or to influence voting –

- (1) No person who is a Returning Officer, or an Additional Returning Officer, or a presiding or polling officer at an election or an officer or clerk appointed by the

Returning Officer or the presiding officer to perform any duty in connection with an election shall in the conduct or the management of the election to do any act (other than the giving of vote) for the furtherance of the prospects of the election of candidate.

- (2) No such person as aforesaid, and no member of a police force, shall endeavour –
 - [a] to persuade any person to give his vote at an election, or
 - [b] to dissuade any person from giving his vote at an election, or
 - [c] to influence the voting of any person at an election in any manner.
- (3) Any person who contravenes the provisions of sub-rule (2) shall be punishable with imprisonment which may extend to six months or with fine or with both.

182. Prohibition of canvassing in or near polling stations –

- (1) No person shall, on the date or dates on which a poll is taken at any polling station, commit any of the following acts within the polling station or in any public or private place within a distance of one hundred yards of the polling station, namely :–
 - (a) canvassing for votes; or
 - (b) soliciting the vote of any elector; or
 - (c) persuading any elector not to vote for any particular candidate; or
 - (d) persuading any elector not to vote at the election, or

- (e) exhibiting any notice or sign (other than an official notice) relating to the election.
- (2) Any person who contravenes the provisions of sub-rule (1) shall be punishable with fine which may extend to two hundred and fifty rupees.
- (3) An offence punishable under this rule shall be cognizable.

183. Penalty for disorderly conduct in or near polling stations –

- (1) No person shall, on the date or dates on which a poll is taken at any polling station –
 - (a) use or operate within or at the entrance of the polling station, or in any public or private place in the neighbourhood thereof, any apparatus for amplifying or reproducing the human voice, such as a megaphone or a loud speaker, or
 - (b) shout, or otherwise act in a disorderly manner, within or at the entrance of the polling station or in any public or private place in the neighbourhood thereof, so as to cause annoyance to any person visiting the polling station for the poll, or so as to interfere with work of the officers and other persons on duty at the polling station.
- (2) Any person who contravenes, or wilfully aids or abets the contravention of the provisions of sub-rule { 1 } shall be punishable with imprisonment which may extend to three months or with fine or with both.
- (3) If the presiding officer of a polling station has reason to believe that any person is committing or has com-

mitted an offence punishable under this rule, he may direct any police officer to arrest such person, and thereupon the police officer shall arrest him.

- (4) Any Police Officer may take such steps, and use force, as may be reasonable necessary for preventing any contravention of the provisions of sub-rule (1) and may seize any apparatus used for such contravention.

184. Penalty for misconduct at the polling station –

- (1) Any person who during the hours fixed for the poll at any polling station misconduct himself or fails to obey the lawful directions of the presiding officer may be removed from the polling station by the presiding officer or by any Police Officer on duty or by any person authorised in this behalf by such presiding officer.
- (2) The powers conferred by sub-rule (1) shall not be exercised so as to prevent any elector who is otherwise entitled to vote at a polling station from having an opportunity or voting at that station.
- (3) If any person who has been so removed from a polling station re-enters the polling station without the permission of the presiding officer, he shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.

An offence punishable under sub-rule [1] shall be cognizable.

185. Penalty for illegal hiring or procuring of conveyance at election – If any person is guilty of any such corrupt

practice as is specified in rule 175 at or connection with an election, he shall be punishable with fine which may extend to two hundred and fifty rupees.

186. Breaches of official duty in connection with elections –

- (1) If any person to whom this rule applies is without reasonable cause guilty of any act or omission in breach of his official duty, he shall be punishable with fine which may extend to five hundred rupees.
- (2) No suit or other legal proceedings shall lie against any such person for damages in respect of any such act or omission as aforesaid.
- (3) The persons to whom this rule applies are the Returning Officers, Additional Returning Officers, Presiding Officers, Polling Officers and any other person appointed to perform any duty in connection with the preparation of an electoral roll, the receipt of nomination or withdrawal of candidature or the recording or counting of votes at an election; and the expression “official duty” shall for the purpose of this rule be construed accordingly, but shall not include duties imposed otherwise than by or under the rules of this Part.

187. Removal of ballot papers from polling station to be an offence –

- (1) Any person who at any election fraudulently takes, or attempts to take, or attempts to take, a ballot paper out of a polling station, or wilfully aids or abets the doing of any such act, shall be punishable with imprisonment for a term which may extend to

one year or with fine which may extend to five hundred rupees or with both.

- (2) If the presiding officer of a polling station has reason to believe that any person is committing or has committed an offence punishable under sub-rule (1), such officer may, before such person leaves the polling station, arrest or direct a police officer to arrest such person and may search such person or cause him to be searched by police officer :

Provided that when it is necessary to cause a woman to be searched, the search shall be made by another woman with strict regard to decency.

- (3) Any ballot paper found upon the person arrested on search shall be made over for safe custody to a Police Officer, by the Presiding Officer, or when the search is made by a Police Officer, shall be kept by such officer in safe custody.
- (4) An offence punishable under sub-rule (1) shall be cognizable.

188. Other offences penalties therefore –

- (1) A person shall be guilty of an electoral offence if at any election he –
 - (a) fraudulently defaces or fraudulently destroys any nomination paper; or
 - (b) fraudulently defaces, destroys or removes any list, notice or other documents affixed by or under the authority of a Returning Officer; or
 - (c) fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot

paper or any declaration of identity; or

- (d) without due authority supplies any ballot paper to any person; or
 - (e) fraudulently puts into any ballot box anything other than the ballot paper which he is authorised by law to put in; or
 - (f) without due authority, destroys, takes opens or otherwise interferes with any ballot box or ballot paper than in use for the purposes of the election; or
 - (g) fraudulently or without due authority, as the case may be, attempts to do any of the foregoing acts willfully aids or abets the doing of any such acts.
- (2) Any person guilty of an electoral offence under this rule shall –
- (a) if he is a Returning Officer or an Additional Returning Officer or a presiding officer at a polling station or any other officer or clerk employed on official duty in connection with the election, be punishable with imprisonment for a term which may extend to two years or with fine or with both.
 - (b) if he is any other person, be punishable with imprisonment for a term which may extend to six months or with fine or with both.
- (3) For the purpose of this rule, a person shall be deemed to be on official duty if his duty is to take part in the conduct of an election or part of an election including the counting of votes or to be responsible after an

election for the used ballot papers and other documents in connection on with such election, but the expression “official duty” shall not include any duty imposed otherwise than by or under the rules of this part.

- (4) An offence punishable under clause (b) of sub-rule (2) shall be cognizable.

189. Prosecution regarding certain offences –

- (1) If the Governor has reasons to believe that any offence punishable under rule 181 or under rule 186 or under clause (a) of sub-rule (2) or rule 188 has been committed in reference to any election within the Pawi-Lakher Autonomous Region, it shall be the duty of the Governor to cause such inquiries to be made and such prosecutions to be instituted as the circumstances of the case may appear to him to require.
- (2) No Court shall take cognizance of any offence punishable under rule 181 or under rule 186 or under clause (a) of sub-rule (2) or rule 183 unless there is a complaint made by order of, or under authority from the Governor.

CHAPTER XI

DISQUALIFICATIONS

Disqualification for membership

190. Offences entailing disqualification

- (1) The offences punishable with imprisonment under section 171E or Section 171F of the Indian Penal Code

(Act XLV of 1860, and offences punishable under rule 187 of clause (a) of sub-rule (2) of rule 188 shall entail disqualification for membership of the Regional Council of the Pawi-Lakher Autonomous Region.

- (2) The period of such disqualification shall be six years from the date of the conviction of the offence.

191. Corrupt and illegal practices entailing disqualification

- (1) The corrupt practices specified in rule 175 or rule 176, and the illegal practices specified in rule 177 shall entail disqualification for membership of the Regional Council of the Pawi-Lakher Regional Council.
- (2) The period of such disqualification shall be six years in the case of an illegal practice, counting from the date on which the finding of the Commissioner as to such practice takes effect under chapter VIII of this part.

Disqualification for voting

192. Disqualification arising out of illegal practices

If any person after the commencement of these rule –

- (a) is convicted of an offence punishable under Section 171 E or Section 171 F of the Indian Penal Code (Act XLV of 1860) or of an offence under rule 187 or clause (a) of sub-rule (2) of rule 188, or
- (b) is, upon the trial of an election petition under chapter VIII of this part, found guilty of any corrupt practice, he shall, for a period of six years from the date of the conviction or from the date on which such finding takes effect, be disqualified for voting at any election.

193. Disqualification arising out of illegal practices

If in relation to any election any person is, upon the trial of an election petition under chapter VIII of this part, found guilty of any illegal practice, he shall be disqualified for voting at any election for a period of four years from the date on which such finding takes effect.

194. Disqualification for failure to lodge return of election expenses

If default is made in making the return of the election expenses of any person who has been nominated as a candidate at an election to which the provisions of Chapter VII of this part apply, or if such a return is found-either upon the trial of an election petition under Chapter VIII of this part or by any Court in a judicial proceeding, to be false in any material particular, the candidate and his election agent shall be disqualified for voting at any election for a period of five years from the date by which the return was required to be lodged.

Other disqualifications**195. Disqualification for being an election agent**

Any person who is for the time being disqualified under the foregoing provisions of this Chapter for being a member of the Regional Council of the Pawi-Lakher Autonomous Region or voting at elections shall, so long as the disqualification exists, also be disqualified for being as election agent at any election.

196. Removal of disqualification

Any disqualification under this Chapter shall be removed by the Governor for reasons to be recorded by him in writing.

CHAPTER XII

MISCELLANEOUS

197. Interpretation

In this part, unless the context otherwise require –

- (a) “Serial number of an elector in a electoral roll” includes such particulars regarding the name or description of the electoral area in reference to which the said electoral roll has been prepared as will identify the entry relating to such elector in that electoral roll;
- (b) “Sign” in relation to a person who is unable to write his name means authenticate in the manner prescribed below –

A person who is unable to write his name shall, unless otherwise expressly provided in this rules, be deemed to have signed an instrument or other paper in the presence of the Returning Officer or the presiding officer or such other officer as may be specified in this behalf by the Governor and such officer on being satisfied as to his identity has attested the mark as being the mark of such person.

198. Requisitioning of premises, vehicles, etc., for election purposes etc.

The provisions of sections 160, 161, 162, 163, 164, 165, 166 and 167 of the representation of the People Act, 1951, (No XLIII of 1951) and of rule 98 and 99 of the conduct of Elections Rules, 1961 shall apply mutatis mutandis in respect of elections to the Regional Council of the Pawi-Lakher Autonomous Region.

Note – The section of the Representation of the People Act, 1951 [No XLIII of 1951] and the rules of the conduct of Election Rules 1961, referred to in these rules are reproduced in Appendix XVII.

199. Jurisdiction of civil courts barred

No civil courts shall have jurisdiction to question the legality of any action taken or of any decision given by the returning officer or by any other person appointed under these rules in connection with an election.

APPENDICES
APPENDIX I
[Rule 2 (2)]

**Notifications constituting the Pawi-Lakher
Autonomous Region**

(The 31 July, 1951)

No. TAD/R/10/50. – In exercise of the power conferred under sub-paragraph (2) of paragraph 1 of the Six Schedule to the constitution of India, the Governor is pleased to constitute the Pawi-Lakher area of the Lushai Hills District, as defined in the Schedule below as an Autonomous Region.

SCHEDULE

Boundary of Pawi-Lakher Region

North – Starting from the confluence of the Tyao Tuipui Rivers on the eastern boundary of the Lushai Hills District, the boundary runs north westward down the Tuipui or Kolodyne River to each confluence with the Pangkhaw lui ; Hence up the latter to

its source to the west of survey station (height - 4530) north of village Sangau ; hence in a south - westernly direction along the ridge to the saddle above the source of Ralzo lui ; and then down Ralzo lui to each confluence with Darzo lui; hence down the latter to each confluence with the Kolodyne river ; hence down the Kolodyne to each confluence with the Sahri lui ; then up the Sahri lui to each confluence with the Sahri peng stream hence up the Sahri peng to each source in the saddle north of village Thinkah ; hence across the saddle and down the small stream known as Leisekawt lui (Thinkah lui) to each confluence with Serva lui ; hence down the latter to each confluence with the Mengpui lui ; hence down the Mengpui lui to each confluence with Kawrawng lui ; hence up the latter to each source on the Lungphun kawn (Mautlangthut kawn) ; then across the saddle of Lungphunkawn and down a small stream till it meets the Dam lui ; hence down Dam lui to its confluence with Chawngvunga -Sakat lui ; hence down the latter to its confluence with the Chawngte lui ; hence down the Chawngte lui to each confluence with the Tuichawng ; hence down the latter to its confluence with the Saihasei Lui ; hence up the Saihasei lui to its source on the Vaizawlkawn saddle hence in a westernly direction across the Uiphumtlang range to the source of the Sihsang lui ; hence down the Sihsang lui to its confluence with the Kawrpui (Thega) on the western boundary of the Lushai Hills District.

West – From the last mentioned point the boundary range in a southernly direction along the western boundary line of the Lushai Hills District as described in Government in notification No. 2106 - AP., dated the 9 March 1933, as amended by notification No. 325 - GS., dated the 29th January 1938 and No. 7051 - GJ., dated the 17th November 1938.

South – Hence the boundary runs in an easternly direction along the southern boundary of the Lushai Hills District as described in Government notification No. 2106 - AP., dated the 9th March 1933, as amended by notification 325 - GS., dated the 29th January 1938.

East – The boundary hence runs northwards along the eastern boundary of the Lushai Hills District as described in Government notification No. 2106 - AP., dated the 9th March 1938 up to the starting point.

R. V. SUBRAHMANIAN,
Secretary to the Government of Assam,
Tribal Areas Department

The 5th March 1960

No. TAD/R/10/50/188 – In exercise of the powers conferred under sub-paragraph (2) of paragraph 1 of the Sixth Schedule to the Constitution of India, the Governor of Assam is pleased to redefine as below, the northern boundary of the Pawi-Lakher Autonomous Region of the Mizo District, as constituted in this Department Notification No. TAD/R/10/50., dated the 31st July 1951.

North- Starting from the confluence of the Tyoa and Tuipui rivers on the eastern boundary of the Lushai Hills District, the boundary runs north-westward down the Tuipui or Kolodyne rivers to its confluence with Pangkhawlui, hence up the latter to its source to the west of survey Station (height 4530) north of village Sangau; hence in a south westernly direction along the ridge of the saddle above the source of Ralzo lui and then down

Ralzo lui to its confluence with Darzo lui; hence down the latter to its confluence with the Kolodyne river; hence down the Kolodyne to its confluence with the Sahri Lui; hence up the Sahri lui to the junction of three streams, and from this to the source of a stream called Thingkahlui; along the ridge of Toitlang where the Servate lui has its source. Down the Servate lui to the junction of Mengpui Lui; and down the Mengpui lui to its confluence with the Kawrawng lui; hence up the Kawrawng lui to the Lungphun kawn; hence to the source of a small unnamed stream (luite); down this stream to its junction with Chawngte Lui hence down the Chawngte lui to its confluence with the Tuichawng; hence down the latter to its confluence with the Saihasei lui; hence up the Saihasei lui to its source on the Vaizawlkawn saddle, hence in a westernly direction across the Uiphum tlang range to the source of the Sihsang lui; hence down the Sihsang lui to its confluence with the Kawrpui (Thega) on the western boundary of the Lushai Hills District.

R.B. VAGHAIWALLA,
Secretary to the Govt. of Assam
Tribal Areas Department.

APPENDIX II

(Rule 7 (2))

Number of Constituency	Extent of Constituency [Villages including Sub-Villages)	No. of Seats
1.	(1) Saiha (2) Saihtlang (3) Phalrang (4) Rawmibawk (5) Riasikah (6) Tuisumpui (7) Saihakai (8) Maubawk (L) (9) New Maubawk (10) Thungsen (11) Theiva (12) New Saiha	1
2.	(1) Lungzarhtum (2) Bualpui (3) Lungpher (4) Fungkah (5) Rawlbuk (6) Lungtian (7) Vartek (8) Vartekkai	1
3.	(1) Sangau (2) Pangkhua (3) Thaltlang (4) Archhuang (5) Pangrang	1

- (6) Vawmbuk
- (7) Tialdawngilung
- (8) Vartek kai
- 4. (1) Lungbun
- (2) Niawhtlang
- (3) Chhuarlung
- (4) Siata
- (5) Ainak 1
- (6) Tuisih
- (7) Chapui
- (8) Mawhra
- (9) Chakhang
- 5. (1) Zawngling
- (2) Laki
- (3) Khopal
- (4) Ahmypi
- (5) Serkawr
- (6) Tuipang L 1
- (7) Tuipang V
- (8) Theiri
- (9) Chheihlu
- (10) Latawh
- 6. (1) Lawngtlai
- (2) Chawnhu
- (3) Thingkah
- (4) Mampui
- (5) Chawngtlang
- (6) Saikah 1
- (7) Phaithar
- (8) Tuipui I.B
- (9) Vanhne

- (10) Rulkual
 - (11) Saizawh
 - (12) Chultlang
7. (1) Tongkalong
- (2) Longmasu
 - (3) Isa
 - (4) Lawngban
 - (5) Lungdar
 - (6) Vahai 1
 - (7) Vahai Leilet
 - (8) Kaisih
 - (9) Lungpuk
 - (10) Mipu
 - (11) Tikochhuah
8. (1) New Chawngte
- (2) Tuikhurlui
 - (3) Mualbu
 - (4) Sakeilui
 - (5) Buhvum
 - (6) Sumsilui 1
 - (7) Mualbului
 - (8) Karlui
 - (9) Damlui
 - (10) Nghalimlui
 - (11) Saibawh
 - (12) Chikhurlui
 - (13) Vathuampui
 - (14) Kawnpui
 - (15) Bungtlang
 - (16) Diltlang
 - (17) Ngengpuitlang

- (18) Tuithumhnar
 - (19) Hmawngbu
 - (20) Hmawngbuchhuah
 - (21) Servachhuah
 - (22) Sabualtlang
 - (23) Lawngtuklui
9. (1) Saizawh (W)
- (2) Chengkawllui
 - (3) Udalthonasora
 - (4) Basesora
 - (5) Ngharum
 - (6) Uiphum
 - (7) Bungkawn
 - (8) Lilamkhar
 - (9) Serlui
 - (10) Sertlang
 - (11) Tuknisan Veng
 - (12) Ngharumtlang
 - (13) Kanghmun
 - (14) Began
 - (15) Bekabekia
 - (16) Borapansury
 - (17) Pherosora
 - (18) Gurualambasora
 - (19) Ukulsury
 - (20) Silsury
 - (21) Tumasora
 - (22) Sakhai
 - (23) Chotapansury
10. (1) Saisih
- (2) Saisihchhuah

- (3) Kolasury
- (4) Simeisury
- (5) Vaseitlang
- (6) Borakovakhali 1
- (7) Konda
- (8) Dumdumia
- (9) Rengari
- (10) Chotalukisuri
- (11) Lokisuritlang
- (12) Puksury
- (13) Lokisuri
- (14) Serhmun
- (15) Charlui
- (16) Phulsora
- (17) Charluitlang
- (18) Jametsuri
- (19) Pankodonsora
- (20) Devasora
- (21) Gerasuri
- (22) Damdeplui
- (23) Damdeptlang
- (24) Lambasora
- (25) Mejossora
- (26) Ukdasury
- (27) Chhotagovakhali
- (28) Geraguluksora
- (29) Nakdansora
- (30) Jarulsury I
- (31) Jarulsury II
- (32) Gulsinghaksora
- (33) Lambabak

APPENDIX III
[Rule 97 (1)]

BUDGET ESTIMATE SHOWING THE PROBABLE RE-
CEIPTS AND EXPENDITURE OF THE PAWI-LAKHER
REGIONAL COUNCIL FOR THE YEAR 19

Heads	Estimates for year 19...	Actuals for nine months of the current year	Actual for the previous year 19.....	Sanctioned estimate for current year
Receipt				
Expen- diture				

APPENDIX IV
[Rule 115 (3)]

Nomination Paper

Name of the constituency for
which the candidate is nominated

Name of candidate

Father's or husband's name

Age

Address

Constituency on the electoral roll
of which the name of the candidate is included

Number of the candidate in
the electoral roll of the constituency in which his name is
included

Number of proposer

Number of the proposer in electoral roll of the constituency.

Signature of the proposer

Name of the seconder

Number of the seconder in
the electoral roll of the constituency.

Signature of seconder.

Declaration of candidate

I hereby declare that I agree to this nomination.

Date Signature of Candidate

I hereby declare that I have appointed
to be my election agent.

Signature of Candidate

386

I hereby declare that I have selected
as the symbol for my election

Signature of Candidate

(To be filled in by the Returning Officer
or other authorised person)

Certificate of Delivery

Serial No

This nomination paper was delivered to me at my office,
at (date and hour)

Returning Officer

Certificate of Scrutiny

I have scrutinised the eligibility of the candidates the
proposer and the seconder, and find that they are respectively
qualified to stand for election,
to propose and to second the nomination.

Date

Returning Officer

APPENDIX V

List of Symbols

[Rule 115 (6)]

1. Umbrella
2. Cock
3. Elephant
4. Tiger
5. Lantern
6. Tree
7. Cow
8. Axe
9. Flower
10. Hut

APPENDIX VI

form of Ballot Paper

(Rule 135)

Constituency No.
Name

Symbol

APPENDIX VIII

Form of tendered Ballot Paper**(Rule 136)**

Polling Station No

Constituency

Name of voter

Number of voter on electoral roll

Name of candidate for whom this is tendered

Date

Signature of Presiding Officer

APPENDIX IX

List of Challenged Votes**(Rule 137)**

Number of electoral roll	Name	Signature of voter for literate or thumb impression of illiterate and address	Signature and address of identifier if any	Order of Presiding Officer in each case	Remarks

APPENDIX X

Form of Letter of Intimateion to the Returning Officer

[Rule 139 (1)]

To

The Returning Officer,
Constituency

Sir,

I intend to cast my vote by post at the ensuing election to the Pawi-Lakher Regional Council from from Constituency No.

My name has been included in the Electoral Roll at the followig address

The Ballot paper may be sent to me at the following address place

Dated

Yours faithfully,

APPENDIX XI

Form of Postal Ballot Paper**[Rule 139(3)]**

Counterfoil	Outerfoil
Serial No. of Ballot Paper	Serial No.
Pawi-Lakher Regional Council Election 19	Pawi-Lakher Regional Council Election 19
Constituency No.	Constituency No.
Name of Elector	Name of candidates Mark
Serial No. of Elector in the Electoral Roll	

INSTRUCTIONS

1. The number of candidates for whom the elector may vote is
.....
2. Vote shall be recorded by placing a cross mark (X) on the ballot paper opposite the name of the candidate for whom the elector wishes to vote. Please also see further instructions in the accompanying letter.

Date
Address
Designation
Signature of Attesting Officer

Address

Signature of Identifier, if any

tion by (identifier) who is personally known to me.

who is personally known to me has been identified to my satisfac-

The above has been signed in my presence by (elector)

Attestation of Signature

Date
Address
Signature of Elector

election.

ballot paper bearing serial number has been issued at the above

I hereby declare that I am the elector to whom the postal

Election to the

[Rule 139 (4)]

Form for Declaration by Elector

APPENDIX XII

APPENDIX XIII

Form of Cover

[Rule 139 (4) (b)]

Election to the Pawi-Lakher Regional Council 19

Constituency

To

The Returning Officer,
Constituency

Address

No

APPENDIX XIV

Form of Letter of Intimation

[Rule 139 (4) (d)]

Election to the
Council, 19

Regional
Constituency

Dear Sir/Madam

1. The persons whose names are printed or typed on the ballot paper sent herewith have been nominated as candidates for the election to the Pawi-Lakher Regional Council. Should you desire to vote at this election, I have to request that –

- (a) you will record your vote by placing a cross mark (X) on ballot paper opposite the name of the Candidate for whom you wish to vote ;
 - (b) you will fill up and sign the declaration form sent herewith in the presence of a Magistrate who shall attached your signature. You will then place the ballot paper in the envelope sent with this letter and close it up and enclose the envelope together with the declaration in the cover addressed to me and return the cover to me by pre paid post or by messenger, so as to reach me before 5 p.m. on the day of 19
2. The number of members to be elected is
 3. Covers returned by post on which the postage has not been prepaid will not be received by me.
 4. A postal ballot paper, which is not duly marked or on which more than one mark is placed against any candidate's name or on which a mark is palced in such manner as to make it doubtful to which candidate it has been given or if the signature of the elector in the declaration is not duly attested by a Magistrate, shall be invalid.
 5. Your number on the electoral roll for Constituency is

Address

Yours faithfully,

Date

Returning Officer

APPENDIX XV

Ballot Paper Account**(Rule 142)**

	Ordinary ballot paper	Tendered ballot paper
1. Number of ballot papers received by the Presiding Officer.		
2. Number of unused ballot papers returned		
3. Number of spoilt ballot papers ...		
4. <i>Number of tendered ballot papers used</i>		
5. Number of ballot papers dealt with under rule 139		
6. Number of ballot papers issued		

APPENDIX XVI

**Form of return of Election Expenses and Declarations of
Candidate and his Agent**

[Rule 155 (2) & (3)]

For the Constituency

PART - I Receipt - Including all monies, and equivalent of money received from any person (including the candidate himself), club, society or association in respect of any expenses, whether paid or remaining unpaid, incurred on account of or in connection with or incidental to the election. The name of each such person, etc., and the amount received shall be shown separately –

Date of receipt	Name and description of payer	Amount or value

Total

APPENDIX XVI

Part II – Expenses – Including all payments made by the candidate or by his election agent or by any person on behalf of or in the interest of the candidate in respect of any expenses incurred on account of or in connection with or incidental to the election and all unpaid claims in respect of any such expenses of which the candidate or his election agent is aware –

N.E. – (1) Vouchers shall be attached to the return for all items of expenditure amounting to Rs. 5 and over, unless from the nature of the case a receipt cannot be obtained ; the vouchers shall be numbered and arrange in serial order and the number of the voucher entered in the return against she items of expenditure.

(2) Each peyment made shall be entered separately, except payments on account of pastage and telegram for which lump sums may be shown. The name and description of each person paid and the work done or the nature of the goods supplied shall be shown in respect of each payment.

A – Under head A shall be shown the personal expenditure of the candidate incurred or paid by him or by his election agent on his behalf, including all payments for personal services rendered, for hotel bills, for travelling expenses and for the purchase of books or election literature.

398

Names and description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount unpaid
Total					

B – Under head B shall be shown expenditure incurred by the candidate or his election agent for the remuneration of agents (including the election agent), clerks or messengers. The name and description of each agent, clerk or messenger employed and the rate of remuneration and the amount paid to each shall be shown separately.

Name and description payee	On what account	Rate of payment	Date of payment	Voucher No.	Amount paid	Amount remaining unpaid

Total

400

C - Under head C shall be shown all other expenditure (including travelling expenses and cost of refreshments provided, incurred by the candidate or his election agents (including the election agent), clerks or messenger. The name and description of each agent, clerks or messenger and the amount paid to each shall be shown.

Name of description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount unpaid
Total					

D - Under head D shall be shown amount paid for the hiring or employment of any conveyance for the purpose of taking voters to the poll and travelling expenses of persons (not being agents, clerks or messengers) whether in receipt of salary or not, incurred or paid by the candidate his election agent the person so travelling.

Name of description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount unpaid
Total					

E - Under head E the cost of printing shall be shown

Name of description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount unpaid

Total

F – Under head F the cost of the advertising shall be shown

Name of description of payee	On what account	Date of payment	Voucher No.	Amount paid	Amount unpaid

Total

G - Under head G the cost of stationery shall be shown

Name of description of payee	On what account	Date of payment if any	Voucher No.	Amount paid	Amount unpaid

Total**H - Under head H the cost of postage and telegrams may be shown in lump sum**

Expenditure incurred	Date of payment, if separate payments are shown	Amount paid

Total

404

I - Under head I the cost of rooms hired for public meetings or as committee rooms or as an office shall be shown

Name and description of payee	Locality and description of room	Date of payment	Voucher No.	Amount paid	Amount unpaid
Total					

J - Under head J shall be included every disputed claim remaining unpaid

Name and description of claimant	Nature and alleged ground of claim	Amount of claims
Total		

K - Under head K all expenditure incurred and payments made by the candidate or by his election agent or by any person on behalf of or in the interests of the candidate in connection with the election and not included in any of the foregoing parts shall be shown.

Name and description of payee	On what account	Date of payment if any	Voucher No.	Amount paid	Amount unpaid
Total					

L - Under head L the total expenditure incurred under each of the previous head shall be shown.

Head	Paid	Unpaid	Total
A			
B			
C			
D			
E			
F			
G			
H etc.,			
Total			

APPENDIX XVI cont...

Part III. – Declaration by candidates and their agent

The form of the declaration shall be as follows –

Form of Declaration by Election agent

I, being the appointed election agent for a candidate for election in the constituency, do hereby solemnly affirm that the above return of election expenses is true to the best of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred, or the purposes of 's candidature.

Election Agent

Solemnly affirmed before me.

(Magistrate)

Form of Declaration by Candidate

I, being a candidate for election in the constituency, do hereby solemnly affirm that the above return of election expenses is true to the best

of my knowledge and belief, and that, except the expenses herein set forth, no expenses of any nature whatsoever have to my knowledge or belief been incurred in, or the purposes of my candidature.

Candidate

Solemnly affirm before.

(Magistrate)

Form of Declaration by a candidate under Rule 155 (3)

I, being a candidate for election in the constituency do hereby solemnly affirm that the return of election expenses signed by my election agent is (with the exceptions noted below) true to the best of my knowledge and belief, and that (with the exception noted below) no expenses of any nature whatsoever other than the expenses therein set forth have to my knowledge or belief been incurred in, or for the purpose of, my candidature.

Particulars Exceptions.

Sd

Candidate

Solemnly affirmed before me.

Sd

(Magistrate)

APPENDIX XVII

(Rule 198)

*(A. Extract from the Representation of the People Act. 1851
(No XLIII of 1951)*

106. Requisitioning of premises, vehicles, etc., for election purposes –

- (1) If it appears to the State Government that in connection with an election held within the State
- (a) any premises are needed or are likely to be needed for the purpose of being used as a polling station for or the storage of ballot paper boxes after a poll has been taken, or
- (b) any vehicle, vessel or animal is needed for the purpose of transport of ballot box to or from any polling station or transport or member of the police force for maintaining order during the conduct of such election, or transport or any officer or other person for performance of any duties in connection with such election, the Government may by order in writing requisition such premises, or such vehicle, vessel or animal, as the case may be and may make such further orders as may appear to it to be necessary or expedient in connection with the requisition ;

Provided that no vehicle, vessel or animal which is being lawfully used by a candidate or his agent for any purpose connected with the elections of such candidate shall be requisitioned under this sub-section until the completion of the poll at such election.

- (2) The requisition shall be effected by an order in writing addressed to the person deemed to be the owner or person in possession of the property, and such order shall be served in the prescribed manner on the person to whom it is addressed.
- (3) Whenever any property is requisitioned under subsection (1), the period of such requisition shall not extend beyond the period for which such property is required for any of the purposes mentioned in that subsection.
- (4) In this section –
 - (a) “premises” means any land, building or part of a building and includes a hut, shed or other structure or any part thereof.
 - (b) “vehicle” means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise.

161. Payment of compensation

- (1) Whenever in pursuance of section 160 the State Government requisitions any premises, there shall be paid to the persons interested compensation the amount of which shall be determined by taking into consider-

ation the following, namely –

- (i) the rent payable in respect of the premises or if no rent is so payable the rent payable for similar premises in the locality ;
- (ii) if in consequence of the premises the person interested in compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change ;

Provided that where any person interest being aggrieved by the amount of compensation so determined makes an application within the prescribed time to the State Government for referring the matter to an arbitrator, the amount of compensation to be paid shall be such as arbitrator appointed in this behalf by the State Government may determine.

Provided further that where there is any dispute as to the title to receive the compensation or as to the appointment of the amount of compensation, it shall be referred by the State Government to an arbitrator appointed in this behalf by the Government for determination and shall be determined in accordance with the decision of such arbitrator.

Explanation – In this sub-section, the expression ‘person interested’ means the person who was in actual possession of the premises requisitioned under section 160 immediately before the requisition, or where no person was in such actual possession, the owner of such premises.

- (2) Whenever in pursuance of section 160 the State Government requisitions any vehicles, vessel or animal, there shall be paid to the owner thereon compensa-

tion the amount of which shall be determined by the State Government on the basis of the fares or rates prevailing in the locality for the hire of such vehicle, vessel or animal ;

Provided that where the owner of such vehicle, vessel or animal being aggrieved by the amount of compensation so determined makes an application within the prescribed time to the State Governor for referring the matter to an arbitrator, the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the State Government may determine.

Provided further that where immediately before the requisitioning the vehicle or vessel was by virtue of a hire purchase agreement in the possession of a person other than the owner, the amount determined under this subsection as the total compensation payable in respect of the requisition shall be appointed between the person and the owner in such matter to the arbitrator, the amount of compensation to be paid shall be such as the arbitrator by the State Government in this behalf may decide.

162. Power to obtain information

The State Government may, with a view to requisitioning any property under section 160 or determining the compensation payable under section 161, by order, require any person to furnish to such authority as may be specified in the order such information in his possession relating to such property as may be so specified.

163. Powers of entry into an inspection of premises, etc.,

(1) any person authorised in this behalf of the State Gov-

ernment may enter into any premises and inspect such premises and any vehicle, vessel or animal therein for the purpose of determining whether, and if so in what manner, and order under section 160 should be made in relation to such premises, vehicle, vessel or animal or with a view to securing compliance with any order made under that section.

- (2) In this section, the expressions “premises” and “vehicle” have the same meanings as in section 160.

164. Eviction from requisitioned premises

- (1) any person remaining in possession of and requisitioned premises in contravention of any order made under section 160 may be summarily evicted from the premises by any officer empowered by the State Government in this behalf.
- (2) Any officer so empowered may after giving to any woman not appearing in public reasonable warning and facility to withdraw, remove or open any lock or bolt or break open any door of any building or do any other act necessary for affecting such eviction.

165. Release of premises from requisition

- (1) When any premises requisitioned under section 160 are to be released from requisition, the possession hereof shall be delivered to the person from whom possession from taken at the time when the premises were requisitioned, or if there were no such person, to the person deemed by the State Government to be the owner of such premises, and such delivery of possession shall be a full discharge of the State Government

from all liabilities in respect of such delivery, but shall not prejudice any rights in respect of the premises which any other person may be entitled by due process of law to enforce against the person to whom possession of the premises is so delivered.

- (2) where the person to whom possession of any premises requisitioned under section 160 is to be given under sub-section (1) cannot be found or is not readily ascertainable or has no agent or any other person empowered to accept deliver on his behalf, the State Government shall cause a notice declaring that such premises and published the notice in the Official Gazette.
- (3) When a notice referred to in sub-section (2) is published in the Official Gazette, the premises specified in such notice shall cease to be subject to requisition on and from the date of such publication and be deemed to have been delivered to the person, entitled to possession thereof, and the State Government shall not be liable for any compensation or other claim in respect of such premises for any period after the said date.

166. Delegation of functions of the State Government with regard to requisitioning

The State Government may, by notification in the Official Gazette, direct that any powers conferred or any duty imposed on that Government by any of the provision of sections 160 to 165 shall, under such condition, if any, as may be specified in the direction, the exercise or discharged by such officer or class of officers as may be so specified.

167. Penalty for contravention of any order regarding requisitioning – If any person contravenes any order made under section 160 or section 162, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

(B. Extracts from the Conduct of Elections Rules 1961)

98. MANNER OF SERVING THE ORDER OR REQUISITION OF PREMISES VEHICLES ETC.

An order of requisition under section 160 shall be served –

- (a) Where the person to whom such order is addressed is a corporation or firm, in the manner provided for the service of summons in rule 2 or order XXIX or rule 3 of order XXX as the case may be on the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908); and
- (b) Where the person to whom such order is addressed is an individual –
 - (i) personally by delivering or tendering the order or
 - (ii) by registered post or
 - (iii) Where the person cannot be found by leaving an authentic copy of the order with any adult member of his family or by affixing such copy to some conspicuous part of the premises in which he is known to have last resided or carried on business or personally for again.

99. TIME WITHIN WHICH AN APPLICATION FOR REFERENCE TO ARBITRATION IS TO BE MADE UNDER SECTION 161 – The time

within any person interested who is aggrieved by the amount of compensation determined under sub-section (1) of section 161 or within which the owner of a vehicle, vessel or animal who is aggrieved by the amount of compensation determined under sub-section (2) of that section may make an application for referring the matter to an arbitrator shall be fourteen days from the date of determination of the amount of such compensation.

Duly passed by the Pawi-Lakher Regional Council on 2nd, August, 1963.

In authentication whereof I give my signature this day the 7th August, 1963 Anno Domini.

Dated the 7th August, 1963

F. Sangluaia,
Chairman

I assent to this Bill
Governor

Pawi-Lakher Regional Council,
Saiha

(Published in Assam Gazette on December 22, 1971)

The 9th November 1971

No. RC. 2/70-71/134 33 – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of Pawi – Lakher Regional Council is hereby published for general information.

Act No. 1 of 1971

The Pawi - Lakher Autonomous Region (Constitution and Conduct of Business of the Regional Council) (Amendment) Act, 1971.

An

Act

to amend the Pawi – Lakher Autonomous Region (Constitution and Conduct of Business of the Regional Council) Rules, 1963

Preamble – Where it is expedient to amend the Pawi – Lakher Autonomous Region (Constitution and Conduct of Business of the Regional Council) Rules, 1963 hereinafter referred to as the Principal Rules,

It is enacted in the twenty-second year of the Republic of India, as follows –

1. Shord title and commencement :–
 - (1) These Rules shall be called the Pawi-Lakher Autonomous Region (Constitution and Conduct of Business of the Regional Council) (Amendment) Rules, 1971.
 - (2) They shall come into force at once
2. Delete Rule 11 of the Principal Rules and substitute the following as Rules 11 –

“11 Chairman and Deputy Chairman - There shall be a Chairman and a Deputy Chairman in the Regional Council who shall be elected by a majority of votes from amongst the members of the Regional Council if there are more than one candidates in the manner provided in Rule 30 of the Principal Rules and Rule 10 of these Rules.

3. Insert the word “or as Deputy Chairman” in between the words “Chairman” and “of” occurring in the second line of Rule 12 of the Principal Rules.
4. Insert the following clause in between the words “the Council” of the first line and “a member” of the second line of Rule 13 of the principal Rules –
“the Deputy Chairman, or if he is absent.”
5. After Rule 14 (1) of the principal Rules, add the following proviso – Provided that the removal of the Deputy Chairman from his office shall be conducted in the same manner as that of the Chairman.”
6. Substitute the words ‘two members’ for the words ‘one other member’ occurring in the line of Rule 19 (1) and in the third and fourth lines of Rule 22 (3) of the principal Rules.
7. Substitute the word ‘members’ for the words ‘member’ occurring in the third line of Rule 20 (1) and in the second line Rule (2) of principal Rules.
8. Substitute the word ‘member’ for the word ‘member’ occurring in between the words ‘to be the’ and of the Executive committee’ in the fourth line of Rule 22 (3) of the Principal Rules.
9. The title under chapter II of Part III of the principal Rules shall read “Election of Chairman and Deputy Chairman.”
10. After Rule 30 (2) of the principal Rules, add the following as new sub-rule (3) and (4) respectively –
“(3) When either at the beginning of the new Regional Council or owing to the vacancy in the office of the Deputy Chairman the election of the Deputy Chairman is necessary, the Chairman shall fix a date for holding the election

of the Deputy Chairman and the Secretary shall send to every notice of the date so fixed.”

“(4) The procedure for the election of the Deputy Chairman shall be the same as that for the election of the Chairman as provided for in Rules except that the meeting shall be presided over by the Chairman.”

11. Substitute the clause “Subdivisional Officer, Saiha” for the clause “Subdivisional Officer Lungleh” wherever they occur in the Principal Rules.
12. Delete the words ‘Deputy Superintendent of Police, Lungleh and occurring in the first line of Rule 112 (2) of the principal Rules, and substitute the word “Saiha” for the word “Lungleh” in the second line of the said Rule.

S. PAILEI
Chairman,
Pawi-Lakher Regional Council, Saiha

**THE PAWI LAKHER AUTONOMOUS REGION
(CONSTITUTION AND CONDUCT OF BUSINESS OF THE REGIONAL COUNCIL) RULES,
1963 AS AMENDED BY CENTRAL GOVT
UNDER RULE 79 OF THE NORTH EASTERN
AREAS (Re-organisation) ACT, 1971**

Rule 2 - (i) Re-number clause (1) as clause (1A), and before the clause as so re-numbered, insert –

“(IA) “Administrator” means the Administrator of the Union Territory of Mizoram appointed by the President under Article

239 of the Constitution;

- (ii) for clause (11), Substitute –
(11) “Gazette” means the Mizoram Gazette;
- (iii) omit clause [2]
- (iv) for clause [3], substitute –
[13] “Scheduled tribe or tribes” means the tribe or tribes specified in part II-Mizoram; of the Schedule to the Constitution (Schedule Tribes) (Union Territories) Order, 1951;

Rule 36 – In clause (i) of sub-rule (2), for “any Governor (as distinct from the Government of which he is the head), “substitute – “any Governor of a State or Administrator of a Union Territory as distinct from of Government of the State or the Government of the Union Territory or the Union Territory Administration, as the case may be).”

Rule 110 – For the provision to sub-rule (1), substitute –
“Provided that a person not belonging to a Schedule tribe shall not be entitled to so vote unless he is permanently resident within the territorial limits of the said region.”

**AMENDMENTS TO THE PAWI-LAKHER AUTONOMOUS REGION (CONSTITUTION AND CONDUCT OF BUSINESS OF THE REGIONAL COUNCIL)
RULES, 1963
MADE BY THE ADMINISTRATOR OF MIZORAM.
PUBLISHED IN THE MIZORAM GAZETTE WITH
LETTER NO LJD 8/72/53 DT 29.4.72**

1. In rule 2 –
 - (i) clause (2) shall be omitted;
 - (ii) in clause (8) the words “and in accordance with the Assam Autonomous Districts (Constitution of District Council) Rules 1951, as subsequently amended” shall be omitted;
 - (iii) clause (15) shall be omitted.
2. For rule 6, the following rule shall be substituted, namely –

“6. Constitution of District Council –

 - (1) There shall be a District Council for each autonomous District specified in Part III of the table appended to paragraph 20 of the Schedule, namely, the Chakma District, the Lakher District and the Pawi District.
 - (2) Each District Council shall be a body corporate by the name of “the District Council of (name of the district),” shall have perpetual succession and a common seal and shall by the said name sue or be sued.”
3. For rule 7, the following rule shall be substituted, namely –

“7. Composition of District Councils –

 - (1) The District Council for each Autonomous District shall consist of a specified number of members both

elected and nominated. The composition of the District Council for each Autonomous District and the allocation of seats therein as between elected and nominated members shall be such as the Administrator may, by notification in the Gazette determine.

- (2) The constituencies for elections to the District Council for each Autonomous District shall be territorial. The constituencies, the extent thereof the number of seats to be filled in each of them shall be such as may be specified, by notification in the Gazette, by the Administrator.
4. In rule 17, in sub-rule (1)
 - (i) for clause (a), the following clause shall be substituted, namely –

“(a) if he is a salaried employee of the Government of India or the Government of any State or Union Territory or is an employee of a District Council.”
 - (ii) in clause (h), for the words “or the District Council, of any autonomous district or the Regional Council,” the words “or Union Territory or any District or Regional Council constituted under the Schedule,” shall be substituted.
 5. In rule 28, in sub-rule (2)
 - (i) in clause (d) for the words “and the Mizo District Council with the Regional Council,” the word “with the District Council” shall be substituted.
 - (ii) in clause (e), the words “and the Mizo District Council” shall be omitted.

6. In rule 34,
 - (i) for sub-rule (1), the following sub-rule shall be substituted, namely –

“(T) A member may address the District Council in any of language spoken in the area over which the Council exercise jurisdiction, or in Hindi, or in English”
 - (ii) the Explanation shall be omitted.
7. For rule 106, the following rule shall be substituted, namely-

“106. Holding of general elections –

 - (1) As soon as may be after the commencement of the Mizoram District Councils (Miscellaneous Provisions) Order, 1972, a general election shall be held under these rules for the constitution of a new District Council for each autonomous district and thereafter a general election shall be held on the expiration of the duration of the then existing District Council or on its dissolution.
 - (2) For the constitution of a District Council for the first time under these rules or, on the expiration of the duration of a existing District Council or on its dissolution, the Administrator shall, by notification in the gazette call upon every constituency to elect a member or members in accordance with these rules within such time as may be specified in such notification.

Provided that, if the Administrator thinks fit, the said notification may be issued at any time a not being more than six months prior to the date on which the duration of the District Council would expire in the ordinary course of events.

Provided further that for the constitution of a District Council for the first time under these rules the said notification may be issued when the Administrator think fit.

8. Appendices I and II shall be omitted.

ORDER

No. LJD 20/72/50, the 30th August, 1972 – In exercise of the powers conferred unto me by rule 7 of the Pawi Lakher Autonomous Region (Constitution and Conduct of Business of the Regional Council) Rule, 1963, as applicable to the District Council in the Union Territory of Mizoram under provisions of paragraph 20 B of the Sixth Schedule to the Constitution of India, I, Shri SP Mukerjee, the Lt. Governor (Administrator) of Mizoram, do hereby determine that the Pawi District Council (Autonomous District) in the Union Territory of Mizoram constituted under the said rules shall consist of 14 (fourteen) members, of whom 12 (twelve) shall be elected on the basis of adult suffrage and 2 (two) members, shall be nominated by the Administrator.

No. LJD 20/72/50, the 30th August, 1972 – In exercise of the powers conferred unto me by rule 7 of the Pawi Lakher Autonomous Region (Constitution and Conduct of Business of the Regional Council) Rule, 1963, as applicable to the District Council in the Union Territory of Mizoram under provisions of paragraph 20 B of the Sixth Schedule to the Constitution of India, I, Shri SP Mukerjee, the Lt. Governor (Administrator) of Mizoram, do hereby determine that the Lakher District Council (Autonomous District) in the Union Territory of Mizoram constituted under the said rules shall consist of 10 (ten) members,

of whom 9 (nine) shall be elected on the basis of adult suffrage and 1 (one) members, shall be nominated by the Administrator.

No. LJD 20/72/52, the 30th August, 1972 – In exercise of the powers conferred unto me by rule 7 of the Pawi Lakher Autonomous Region (Constitution and Conduct of Business of the Regional Council) Rule, 1963, as applicable to the District Council in the Union Territory of Mizoram under provisions of paragraph 20 B of the Sixth Schedule to the Constitution of India, I, Shri SP Mukerjee, the Lt. Governor (Administrator) of Mizoram, do hereby determine that the Chakma District Council (Autonomous District) in the Union Territory of Mizoram constituted under the said rules shall consist of 9 (nine) members, of whom 8 (eight) shall be elected on the basis of adult suffrage and 1 (one) members, shall be nominated by the Administrator.

S.P. Mukerjee,
Lt. Governor (administrator)
of the Union Territory of Mizoram

GOVERNMENT OF MIZORAM ORDERS OF THE
ADMINISTRATOR PUBLISHED IN MIZORAM GA-
ZETTE ON 17.10.72

No. LJD. 20/72/40 Dated Aizawl, the 15th. October, 1972 – Whereas, in pursuance of Sub paragraph (1) of Paragraph 7 of the Pawi-Lakher Autonomous Region (Constitution and Conduct of Business Pawi-Lakher Autonomous Region Council) Rules, 1963 as applicable to the District Council in the Union Territory of Mizoram under paragraph 20 B of the Sixth Schedule to the Constitution of India, the Lieutenant Governor (Administrator) has been pleased to assign 12, 9 and 8 seats to the Pawi, Lakher and Chakma District Council respectively in the Union Territory of Mizoram;

And whereas, in pursuance of Sub paragraph 2 of Paragraph 7 of the Pawi Lakher Autonomous Region (Constitution and Conduct of Business of the Regional Council) Rules, 1963 as amended, the a foresaid total number of seats in each of the District Councils has been distributed to single member constituencies;

And whereas, the proposal of the Government of Mizoram for the delimitation of the said constituencies were published in the official Gazette of the Government of Mizoram on 5th October, 1972;

And whereas, all objections and suggestions received by the Government of Mizoram in relation to the said proposals have been further considered by an Advisory Committee at a sitting held under the chairmanship of Secretary to the Government of Mizoram, Local Administration Department on the 23rd October 1972.

Now, therefore, in pursuance of sub-paragraph 2 of paragraph 7 of the Pawi-Lakher Autonomous Region (Constitution and Conduct of Business of the Regional Council) Rules, 1963 as amended, the Lieutenant Governor (Administrator) hereby determines the delimitation of the said territorial Constituencies into which the Autonomous District of Pawi, Lakher and Chakma in the Union Territory of Mizoram shall be divided for the purpose of election to the aforesaid District Council and the extent of each such Constituency as shown in the tables below.

A. SARKAR
Secretary of the Govt. of Mizoram.
Local Administration Deptt.

TABLE A
PAWI DISTRICT COUNCIL

No. of Constituency	Name of the Constituency	Extent Villages within the Constituencies.
1.	New Chawngte	a. New Chawngte b. Diltlang c. Hmunnuam d. Mualbu (Buhvum) e. Hmunlai
2.	Sakeilui	a. Sakeilui b. Tuikhurlui c. Sumsilui d. Jognasuri e. Damlui f. Nghalimlui
3.	Bungtlang	a. Bungtlang b. Ngengpuitlang c. Kawrthindeng d. Tuithumhnar e. Hmawngbuchhuah f. Vathuampui g. Sabualtlang h. Fangfarlui i. Saibawk (Saibawh) j. Chikhurlui k. Mualbu Kawnpui
4.	Paithar	a. Paithar b. Saikah

- c. Tuipui (IB)
 - d. Kawlchaw
 - e. Vahne
 - f. Rualkual
 - g. Saizawh
5. Lawngtlai (N)
 - a. Lawngtlai (V)
 - b. Lawngtlai II (T)
 6. Lawngtlai (S)
 - a. Lawngtlai II (Bazar)
 - b. Lawngtlai IV
Chawhu & Mampui
 7. Sangau
 - a. Sangau
 - b. Thaltlang
 8. Pangkhua
 - a. Pangkhua
 - b. Cheural
 9. Lungtian
 - a. Lungtian
 - b. Vartek
 - c. Tuipui
 10. Vawmbuk
 - a. Vawmbuk
 - b. Tialdawnglung
 - c. Archhuang
 - d. Pangrang
 11. Lungpher
 - a. Lungpher
 - b. Fungkah
 - c. Rawlbuk
 12. Bualpui (NG)
 - a. Bualpui (Ng)
 - b. Lungzarhtum

TABLE B
LAKHER DISTRICT COUNCIL

No. of Con- stituency	Name of the Constituency	Extent Villages within the Constituencies.
1.	Rawmibawk	a. Rawmibawk b. Phalrang c. Saihatlang d. Saihakai e. Tuisumpui
2.	Maubawk	a. Maubawk (L) b. Maubawk (Ch) c. Theiva d. Thingsen
3.	Serkawr	a. Serkawr b. Latawh c. Lawngban d. Lawngdawh
4.	Tuipang	a. Tuipang (V) b. Tuipang (L) c. Tuisih d. Theiri
5.	Zawngling	a. Zawngling b. Khopi c. Laki d. Ahmipi e. Siatlai f. Lungpuk (Lawngpuk) g. Chheihlu

- | | | |
|----|---------------|---|
| 6. | Tawngkawlawng | a. Tawngkawlawng
b. Mipu
c. Kaisi
d. Isa
e. Vahai
f. Sakuhtlang (Hmaketla) |
| 7. | Chapui | a. Chapui
b. Mohre
c. Satlawng-Chakhang
d. Siata |
| 8. | Chhualung | a. Chhualung
b. Niawhtlang
c. Lungbun
d. Ainak
e. Phusa |
| 9. | Saiha | a. Saiha Old
b. Saiha New |

TABLE C
CHAKMA DISTRICT COUNCIL

No. of Con- stituency	Name of the Constituency	Extent Villages within the Constituencies.
1.	Boroponsury I	a. Boroponsury I
2.	Boroponsury II	a. Boroponsury II b. Ngharum c. Saizawh (W)
3.	Jarulsury	a. Jarulsury
4.	Vaseitlang S	a. Vaseitlang S
5.	Vaseitlang N	a. Vaseitlang N
6.	Parva S	a. Parva S
7.	Parva N	a. Damdap (New Jongnasury) b. Parva N
8.	Chawngte W	a. Chawngte W b. Chengkawllui c. Udalthanasora d. Serlui e. Nolbunia

A. (SARKAR)
Secretary
to the Government of Mizoram
Local Administration Department.