APPENDICES
APPENDIX – I

THE MANIPUR MUNICIPALITIES ACT, 1975*

CONSTITUTION OF MUNICIPALITIES

The State Government may by notification in the Official Gazette declare an area to be a municipality. It also determined the local limits of the area declared to be a Municipality. But such Municipality excludes any military cantonment or part thereof.¹

Municipal Board:²

Each Municipality has a Municipal Board bearing the name of, and having jurisdiction over, the municipality. The Board is a body corporate having perpetual succession and common seal. It has the power to hold, acquire and dispose of property. It can also sue and be sued in its name. Such a Board shall consist of not less than ten but not more than thirty commissioners. The commissioners are elected from the wards of the Municipality by the respective local voters who are entitled to vote at the election of the Manipur Legislative Assembly. If a ward fails to elect its commissioner, the State Government shall appoint as person as its commissioner.

No person shall be eligible for election as commissioner if he

(a). is not registered in the electoral roll for a ward;

(b). is of unsound mind as adjudged by a competent court;

¹ In the Chapter II of the Manipur Municipalities Act, 1975. At present, there are eight municipalities in Manipur – Imphal Municipality, Jiribam Municipality, Thoubal Municipality, Kakching Municipality, Bishenpur Municipality, Moirang Municipality, Nambol Municipality and Churachandpur Municipality.
² The Manipur Municipality Act, 1975 – Chapter III.
(c). is an undischarged insolvent;

(d). has been, during the four years immediately proceeding the election, convicted by a criminal court of an offence involving moral turpitude or of an offence under Chapter IX-A of the Indian Penal Code, or has been under bond for good behavior as ordered by a criminal court under the code of Criminal Procedure, unless such conviction or order has been set aside or such offences has been pardoned by a competent authority;

(e). a salaried Government employee;

(f). is a defaulter in payment of any dues to the municipality for more than three months on the date of submission of nomination paper;

(g). is not an adult ordinarily resident within the ward from which he is seeking election.

The term of a Municipal Board is four years commencing from the date of first meeting held after its constitution. But the State Government may extend the term of office for a period not exceeding two years in the aggregate. The State Government may also appoint a Board for a period not exceeding two years after the expiry of the term of the Board.

A Municipal Board has its own President and Vice-President elected from amongst its commissioners. If the Board fails to elect the President or Vice President the State Government shall appoint one as the President or Vice President from amongst the commissioners of the Board. But the tenure of so appointed President or Vice President from amongst the commissioners of the Board. But the tenure of so appointed
President or Vice-President shall not exceed one year. If the offices of both President and Vice-President, the State Government shall appoint one from amongst the Commissioners as President.

The President may tender his resignation by writing to the Vice-President: the Vice-President and a commissioner may also resign by writing to the President.

The State Government may also remove any elected commissioner on ground of misconduct in the discharge of his duties of the removal is recommended by resolution of the Board by the majority of the total number of the Commissioners. The State Government may also remove a commissioner on any of these grounds:

(a). if he ceases to reside within his Municipality for one year;

(b). if he refuses to act or becomes incapable of acting as commissioners or if he has violated his oath or affirmation of allegiance;

(c). if he, without showing cause, absents himself from four consecutive meetings of the Board;

(d). if he, being a legal practitioner, appears against the Board before any Court in any case by or against the Board;

(e). if he becomes subject to any of the disabilities mentioned in Clauses (b) to (f) above;

(f). if he, without the proper permission of the State Government, deals directly or indirectly, in the contract or employment with, or by or on behalf of the Board:
(g) if he defaults to payment of any dues to the Municipality for more than six months after a demand notice thereof has been served on him.

The State Government may remove the President or the Vice-President on any of these grounds, such as, failure to discharge his duty; dissatisfactions as in the case of a commissioner; unauthorized dealing in the contract or employment with, by or on behalf of the Board, misconduct in the discharge of his duty, misuse of fund and property of the Board abuse of his official powers abandonment of his ordinary residence within the Municipal area, his appearance as a legal practitioner before any court in any case by as against the Board if he be a legal practitioner, etc. The State Government can also remove him from office as per a resolution passed by a majority of the total number of commissioners for his removal.

The President, in his absence, the Vice President shall preside over the meetings of the Board. The President has his own powers and functions. In his absence, the Vice-President shall exercise those powers and functions.

Functions of Board:

The functions of a Board fall under those categories obligatory, special and discretionary. The obligatory functions are these:

(a) lighting, watering and cleaning public roads and places;
(b) removing filth, rubbish, night-soil, odor etc. from privies, latrines, urinals, cess-pools etc;
(c) protective measures when fire occurs:
(d). removing obstructions and projections in public roads or places and in spaces not being private property;
(e). securing or removing dangerous buildings or places;
(f). maintenance and regulation of cremation grounds for the bodies of dead human bodies and dead animals;
(g). maintenance and regulation of public roads, municipal boundaries, tanks, wells, markets, slaughter-houses, drainage works etc.;
(h). construction of public latrines, privies etc;
(i). supply of pure water for health and sanitation;
(j). naming streets and numbering houses;
(k). registration of births and deaths;
(l). suitable accommodation for calves, cows, buffaloes etc., within the municipalities;
(m). publication and printing of the annual administrative report of the municipality;
(n). arrangement for preparation of compost manure from night soil and rubbish.
(o). establishment and maintenance of cattle pounded, etc.

Special functions are these: (a) providing medical aid and accommodation for the sick in times of dangerous diseases; (b) giving relief and establishing and maintaining relief works in times of famine or scarcity etc.

Discretionary Functions are the following:
(a). laying out new public roads, plans etc.
(b). construction and maintenance of public parks, gardens, libraries, dhammasalas, rest-houses etc.
(c). construction and maintenance of sanitary houses for the
habitation of the poor; granting loans for the purpose;
(d). providing accommodation for the employees of the
Board:
(e). planting and maintaining roadside trees;
(f). supplying, constructing and maintaining receptacles,
fitting pipes and other appliances for the use of private
premises:
(g). the public health and infant welfare;
(h). construction towards any public fund raised for relief of
human suffering within the municipality;
(i). any public reception, ceremony, entertainment, exhibition
etc;
(j). organization and maintenance of shops, stalls for the sale
of necessaries of life;
(k). holding fairs and exhibitions;
(l). supply of milk;
(m). establishing labour welfare centers for its employees;
(n). maintenance of ambulance service;
(o). establishing and maintaining public hospitals,
dispensaries etc.
(p). providing facilities for anti-rabbits treatment etc.;
(q). housing and maintaining destitute orphans, cripples etc.
(r). establishing rescue homes;
(s). any matter likely to promote education, public health,
safety, economic conditions of the residents within the
municipality.
Power of Taxation:

With the previous approval of State Government, a Municipal Board may, within its local limits, impose any of the following taxes, fees, tolls etc.:

(a) a tax on holdings;
(b) a tax on all or any of the vehicles except those covered by the Motor Vehicles Act;
(c) an octroi on goods brought within the Municipality for consumption, sale use etc;
(d) a latrine tax;
(e) a scavenging-tax;
(f) a lighting-tax where the lighting is arranged by the Municipality agency;
(g) a drainage tax where the drainage is introduced by the Board;
(h) a tax on, deeds of transfer of immovable property;
(i) a tax on advertisement except non-commercial advertisements;
(j) a water tax where water is supplied by the Board;
(k) market fees on persons exposing goods for sale;
(l) a betterment charge on properties;
(m) any other tax, toll, rate, charge or fee.

But the Municipal Board shall have no power to impose a tax which the state Legislature also power to impose under the Constitution of India.
Other powers of the Board:

A Municipal Board has also the following powers within the units of its local jurisdiction:

(a) to lay out or make new roads; to widen, open, improve, divert any public road;
(b) to repair private roads, drains etc. in the public interest;
(c) to prohibit the use of public roads by a class of animals, carts or vehicles etc.;
(d) to remove obstruction, encroachment and projection in on public road;
(e) to grant sanction for erection of buildings;
(f) to require the owners or occupiers of the municipal lands to clear noxious vegetation;
(g) to require owners or occupiers of the municipal lands to improve bad drainage and to cleanse or drain wholesome tanks and premises;
(h) to require the owners or occupiers of the wells, tanks, excavations etc. which are dangerous to the passerby for want of sufficient repair, to secure the same;
(i) to demolish unauthorized drains leading into the public places;
(j) to require the owner of a land to drain the same properly;
(k) to arrange establishment for removal of sewage, offensive matter, rubbish etc.;
(l) to supply drinking water;
(m) to order removal of latrines, urinals, cesspools etc. near any source of water-supply;
(n). to order removal of unauthorized construction or trees over public drain or water-works;

(o). to sanction, out of its fund, expenditure on maintaining burial and burning places;

(p). to issue licenses to the butchers;

(q). to regulate offensive trades;

(r). to issue licenses for the cinemas, dramatic performances, circuses etc.;

(s). to close market, tea-stall etc. for preventing the spread of any contagious disease;

(t). to provide places, such as, park, play-ground, open spaces, for recreation;

(u). to discharge functions, in respect of the establishment, maintenance and management of pounds, under Section 31 of the Cattle Trespass Act, 1871.

Municipal Fund:4

A Municipal Board has its own fund called “Municipal Fund”. The Fund is vested in the Board. It is made up of the following sums:

(a). all sums received by or on behalf of the Board;

(b). the balance, if any standing at the credit of the Board;

(c). all proceeds of the disposal of property by or on behalf of the Board;

(d). all rents occurring from the Municipal Property;

(e). all money raised by Municipal tax;

(f). all Municipal fees;

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4 ibid Sec. 64-69.
(g). all moneys realized by the Board by way of compensation or for compounding offences:

(h). all money received by or on the behalf of the board from the State Government, private individuals by way of grants, contributions, gifts etc.:

(i). all interest and profits arising any investment of or from any transaction in connection with any money belonging to the Board.

A Board has also the power to borrow money from the State Government, any financial institution for the due discharge of its powers and functions. The fund shall be applied for these purposes.

A Board has also prepare its budget for the ensuing year two months before the close of the financial year, and shall pass and submit the same to the State Government for approval. It shall maintain in the prescribed form its accounts. An official deputed by the State Government shall audit the accounts seen after the end of each financial year.

Bye-Law Making Power of Board: 5

A Municipal Board has the power to frame by-laws for the following matters:

(i). any matter in respect of which power to frame bye-laws in conferred on the Board:

(ii). traffic regulation:

5 ibid Sec. 204 & 205.
(iii). prescribing the width of the wheel-tyres of carts, carriage etc. kept and used within the Municipality;
(iv). regarding notice to be given to the Board for the erection, re-erection, material alteration of a building;
(v). requiring that such a notice shall be accompanied with a site plan of the proposed erection, re-erection, alteration of the building and other connected material;
(vi). regarding the nature of such erection, re-erection or material alteration;
(vii). preventing the erection of buildings without adequate laying-out;
(viii). regarding drainage; nuisance; washing places for the professional washer-man; prevention of mosquito-breeding;
(ix). regarding cutting of trees and bamboos within the Municipality:
(x). regarding disposal of sewage, offensive matters etc.;
(xi). regarding inspection and regulation of markets; price list etc.;
(xii). regarding the houses and manner of transport within the Municipality;
(xiii). fixing places for sale of specified food or drink;
(xiv). regarding stalling or herding of houses, cattle, sheep, goats, duks or fowls etc.;
(xv). regarding the inspection of milk cattle; prevention of contagious diseases amongst them;
(xvi). regarding the inspection and proper regulation of encamping grounds, ponds, sarais or dharmasalas etc.;
(xvii). preventing nuisances affecting the public health; safety etc.;
(xviii). controlling and regulating the use and management of burial
and burning grounds:
(xix). proving for the holding of fairs, industrial exhibitions etc.;
(xx). fixing the conditions under which the licenses are to be
issued, revoked suspended:
(XXI). preventing and removing any encroachments on any
municipal land:
(xxii). giving effect to the objects and purposes of this Act.
imposing on the offenders against any provision of the bye-
laws reasonable penalty not exceeding Rs. 50/- for each
offence and Rs. 20/- each day for a continuing offence;
(xxiii). distribution of works among the officers and members of the
staff of the Board.

A Municipality in the hill area has additional powers to frame bye-
laws in addition to the above bye-laws, for the purpose of regulating or
prohibiting the cutting or destroying of trees, shrubs or the making of
excavation or removal of oil or quarrying etc.

The above bye-laws should be confined by the State Government,
otherwise they shall not be valid.

Control over Municipal Board.6

The Deputy Commissioner or any officer empowered by the State
Government in that behalf may at any time inspect any immovable
property in the occupation of the Board, any work in progress under or

6 ibid Sec. 127-201.
any institution under the control and administration of the Board, and any document or book in its possession.

The Deputy Commissioner or the State Government may by order in writing suspend the execution of any resolution or order of the Board or prohibit the doing of any act by it if the resolution, order or act is contrary to the public interest, or in excess of the power of the Board, or likely to cause serious breach of peace or annoyance or injury to the public.

The State Government may, by order in writing call upon the Board to perform any duty imposed on it within the stipulated period if the Board has made default in performing that duty. If such duty is not performed within such period, the State Government may pass such orders as it thinks fit including the orders for appointment of a person to perform the duty.

In any case of emergency, the Deputy Commissioner in consultation with a technical advisor immediately avoidable may execute in the public interest any work, which the Board has the power to execute.

The State Government may supersede or suspend for a period not exceeding one year at a time, or dissolve the Board on any of these grounds: (a) incompetence or persistent default in the performance of its duties; (b) excess or abuse of its powers. But the Board must be given an opportunity to submit a representation before any order for supersession, suspension or dissolution of the Board is passed. During the period of such suspension or dissolution, a person appointed by the State
Government shall exercise the powers and functions of the Board. In consequence, all the commissioners of the Board shall vacate their offices: the powers and functions of the Board shall be experienced by a person appointed by the State Government in that behalf and all the property vested in the Board shall stand vested in the State Government. On the expiry of the period of suspension, the State Government may extend the period of suspension for another term not exceeding one year or reconstitute the Board by a fresh general election.

Standing Committee: \(^7\)

These committees are appointed by the Municipal Board at a meeting held for the purpose. They have to assist the Board in the discharge of any specific duties devoted upon it. The committees shall consist of Commissioners and when, necessary, of such resident with special qualifications as may be necessary for the purpose. No commissioner shall be member of more than one committee. The President, Vice-President of the Board, if he is a member of any committee, shall be ex-officio chairman thereof. All the proceedings of any such committee shall be subject to confirmation by the Board at a meeting.

Powers and Functions of President: \(^8\)

We have already discussed above the President of a Municipal Board is elected and his tenure of office. He has the following powers and functions to discharge:

(a). to preside over all meetings of the Board and to regulate the conduct of business as per the relevant bye-laws:

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\(^7\) ibid Section 53.
\(^8\) ibid Sec. 30 & 31.
(b). to watch over the financial and executive administration of the Board and perform such executive functions as are allotted to him:

(c). to exercise supervision and control over acts and duties of all officers and employees of the Board;

(d). to direct, in case of emergency, the execution or stoppage of any work or doing of any act which required sanction of the Board, for the safety or service of the public.

The Vice-President, during the absence of the President shall exercise the above powers and functions of the President.

They are given remuneration or such allowance as sanctioned by the State Government out of the Municipal fund.

**Small Towns** Constitution

The State Government has the power to declare a local area to be a “Small Town” for improved arrangements. Areas comprised in a Municipality or Cantonment shall be excluded from a “Small Town”. The State Government shall fix the local limits of such a town.

Each small town has a committee called “Town Committee”. The Committee shall consist of such number of members as may be

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* At present, there are thirty small towns in Manipur, Lamjao, Shamurou, Wangoi, Thongkhong, Lazmi Bazar, Lamrai, Mayang, Imphal, Andro, Sekmai, Lilong (Imphal District), Heirok, Lilong (Thoubal), Singu, Wangjing, Yairipok, Sikhong Sekmai, Kakching Khunou, Waikhol (Thoubal District), Kumbi, Ningthoukhong, Kwakta, Onam (Bishenpur District), Ukhrul, (Ukhrul District), Tamenglong (Tamenglong District), Singhat (Churachandpur District), Chandel and Moreh (Chandel District).

9 ibid Sec. 219 & 220.
prescribed by the State Government. The members for the first time shall be appointed by the State Government for a term of two years; and for the subsequent terms they shall be elected in an election to be held before the expiry of the period of two years. The State Government may appoint two members to represent the Scheduled Castes and Scheduled Tribes.

On expiry of the Town Committee the State Government may appoint a Town Committee for a term not exceeding one year.

There shall be a President and a Vice-President for each Town Committee elected from amongst its members. If the members of the committee fails to elect the President or the Vice-President, the State Government shall appoint any person whether a member of the Committee or not to be its President or Vice-President as the case may be.

The State Government shall fix the term of office of a member, the President and the Vice-President of town Committee.

**Powers of State Government**

The State Government has the power to:

(a) impose in any small town any tax, which could have been imposed therein if such area were a municipality.

(b) apply to the small town for the assessment and recovery of the above tax any provisions of this Act, i.e., the Manipur Municipalities Act, 1975:

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10 ibid Sec. 221.
(c). arrange for the proper use of the proceeds of the above tax and other funds allotted to the Town Committee and for maintaining proper accounts; and

(d). extend to a small town any provisions of this Act, i.e., the Manipur Municipalities Act.

In conclusion, we can say that the Town Committees are the variants of the Municipal Boards.

**Imphal Municipality**

**Historical Background:** As early as 1915 a body called Imphal Town Fund Committee was established for the local administration of Imphal Town. Imphal Town Fund Committee consisted of one Chairman and other five members*¹¹ appointed by the Chairman who happened to be the Political Agent of the British Government in the State of Manipur.

And the record shows that Imphal Town Fund Committee had the power of settlement in the area known as Committee had the power of settlement in the area known as British Reserve now known as Babupara area, Secretarial area, Secretariat area, Khwai Bazar area, D. M. College compound area and Deulahland area. And for its administration the Political Agent had a separate Police Department under his control.

**Powers and Functions:** In this area he exercised all executive and judicial powers over and above the settlement powers mentioned above.

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¹¹ * Lt. Cd. H. W. C. Cole, C. S., I. A. was the first Chairman. Mr. C. F. Jeffrey, State Engineer, Mr. H. Lyndoh, Civil Surgeon, Khan Saheb Hafiz Sherif Shah, Babu Gagan Chandra Aditya and Babu Sadasuk Sarangi were the original members.*
During the period of Town Fund Committee the Assam Municipal Act, 1923 was followed though it is not clear as to which Act or Law was followed before the year 1923. It appears that the executive order was the law till the Board was formally established.

**Assam Municipal Act 1956 and Imphal Municipal Board:** It came into existence in the year 1956. As the Board was established the Assam Municipal Act, 1956 was extended to Manipur and the same was enforced in Imphal. The Board was formed with 12 elected members for 12 wards. The area originally under Assam Municipal Act, its jurisdiction was Babupara area, Secretariat area and Khwai Bazar area. In the year 1962, the Municipal area was extended from 1.2 sq. miles to 6.75 sq. miles comprising 20 wards.

In the year 1970 the Municipal area was extended from 6.75 sq. miles to 7.05 sq. miles comprising 22 wards.

Then again in the year 1972 the Municipal area was extended from 7.05 sq. miles to 29.57 sq. miles comprising 26 wards.

The Board discharged the powers and functions under the Assam Municipal Act, 1956 for the local administration of Imphal Municipal area.

**Manipur Municipal Act, 1975**

Under this Act a Board is constituted for Imphal Municipality. The Board has 26 Commissioners elected from the 26 wards of the Municipal area, which measures about 29.57 sq. miles. Now, the whole area of Lamphel is included in the Municipal area. As per 1981 census, the Municipality has a population of about 1,54,421.
The Board has its own President and Vice-President elected from amongst its elected commissioners. Regarding their election, tenure of office, qualification, disqualification etc. We have already discussed in the Act itself in the preceding pages.

The Board has its own powers and functions under this Act and the bye-laws framed there under. We have set forth in detail those powers and functions in the Act itself in the preceding pages.

The Board has its own staff. Its Executive Officer is the Principal executive officer. He also functions as Secretary to the Board. All other officers and employees are subordinate to him. But the Executive Officer is under the control of the President. The Board has also Health Officer, Revenue Officer and Engineer appointed by it with concurrence of the Government of Manipur.

But from the practical point of view, the works done by the Board may be classified into three categories – Plan Works, Non – Plan Works and other works.

**Plan Works**: Generally, once a year, the Government of Manipur grants a certain amount of fund to the Municipality as Grant – in - aid for certain purposes, such as, construction of Municipal roads, sheds for local markets, execution of other important works All such works taken up with the money of the Government of Manipur are known as the Plan Works of the Municipality. So far the Plan Works for improvement or construction of roads are taken up by the Municipality through its Engineering Staff. The selection of roads for the working programme is made through the recommendations of the commissions of this Board.
Construction of sheds for local markets at Tera Keithel, Lamlong etc. were taken up by the Public Works Department, Manipur on deposit of money by the Municipality, the money being issued by the Government of Manipur to the Municipality. There are also some other works money being taken up by the Public Health Engineering Department in the same manner.

**Non-Plan Works:** The Municipality has to spend about Rs. 2/- lakhs in a month for staff payment and maintenance of the establishment. The amount is spent from its own fund and this expenditure cannot be avoided. With money from its fund, the Municipality has also to maintain roads and markets to purchase R. C. C. culverts and slabs, to purchase equipments, to develop cremation grounds and do other works which cannot be covered by the Plan-Works. Thus, such works done by the Municipality with money from its fund are called the Non-Plan Works.

**Other Works:** The Municipality has to pay special attention to certain places, e.g. Thangal Bazar and Paona Bazar, these places being important and common. It has to remove unwanted materials from these places, to cleanse public latrines and urinals and to sprinkle bleaching powder and phenyle. Besides, it provides relief to the Municipal people in times of natural calamities – floods, draughts etc. It also extends help to the needy to the extent it can.
The town beautification is a burning question at present. The Municipality takes up the works in this respect jointly with the Government of Manipur. \footnote{12}

It is the Imphal Municipality to keep the Imphal town neat and clean.

\footnote{12} The Manipur Town and Country Planning Act, 1975 has been enacted. The object of this Act is primarily the development of Towns and Countryside of the State on sound and scientific principles, for securing proper sanitary conditions, conserving and improving public health etc. Section 29 of the Act empowers the Government of Manipur Board to prepare and submit a development scheme.
APPENDIX – II

THE MANIPUR MUNICIPALITIES ACT, 1994

This Act may be called the Manipur Municipalities Act, 1994.

It extends to the whole of the State of Manipur except the Hill areas to which the Manipur (Hill Areas) District Council Act, 1971 extends or any area which is included in a cantonment under the Cantonment Act, 1924.

It shall be deemed to have come into force on the 24th day of May, 1994.

Constitution of Municipalities:

The Governor shall by notification constitute:

a Nagar Panchayat for a transitional area, that is to say, an area in transition from the rural area to an urban area.

a Municipal Council for a smaller urban area; and

a Municipal Corporation for a larger urban area, in accordance with the provisions of this Act.

Provided that a Municipality under this section may not be constituted in such urban area or part thereof as the Governor may, having regard to the size of the area and the municipal services being provided as proposed to be provided by an industrial establishment in that area and such other factors as it may deem fit, by notification, specify to be an industrial township.

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1 The Manipur Municipalities Act, 1994 Section-.
2 ibid Sec 3.
* In Manipur, there is no Municipal Corporation.
Municipal Council:\(^3\)

A Municipal Council shall be a body corporate by its name, having a perpetual succession and a common seal with power to acquire, hold and dispose of property and to contract, and shall sue and be sued in its name.

Every Council shall consist of such number of councilor as may be fixed by the State Government from time to time by notification.

The State Government may appoint a person having special knowledge or experience in Municipal administration to be a member of the Municipal Council.

Provided that such person shall not have the right to vote in the meetings of the council.

In respect of a Municipality having a population of three lakhs or more shall be constituted by the state Government, by order, such number of Wards Committees as may be determined by it. So however that each Wards Committees shall consists of not less than five Wards.

Provided that in constituting Wards Committees the State Government shall maintain geographical contiguity as far as possible.

Each Ward Committee shall consist of:

(i). the member elected from the wards for which wards committee is constituted.

(ii). the Executive Officer who shall be the ex-officio member.

\(^3\) Ibid. Chapter IV, Clause 13, 15, 16, 17, 18, 19, 22, 23, 24, 28, 29, 31, 33, 34.
(iii). such other officers of the Municipal as the State Government may specify to be ex-officio members of whom one specified officer shall be the secretary of the Wards Committee.

Provided that the ex-officio members shall have the right to speak and participate in the meetings of the wards committee but shall not have the right to vote.

The Chairperson of the Wards Committee shall be elected by the elected members thereof from among themselves.

The Chairperson shall cease to hold office if he ceases to be a member of the Wards Committee. Any casual vacancy in the office of the Chairperson shall be filled by election of another Chairperson from among elected members of the Wards Committee as soon as may be after the occurrence of the vacancy.

In every municipality, out of the total strength of elected members determined under section 15, the State Government shall subject to such rules as may be prescribed, by notification, reserve:

Such member of seats to the Scheduled Castes and the Scheduled Tribes may be determined by them, subject to condition that the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of the population of the Scheduled Castes or as the case may be, of the Scheduled Tribes in the Municipality; and such seats may be allotted by rotation to different wards in the Municipality.

Not less than one-third of the total number of seats reserved under Sub-section (i) shall be reserved for women belonging to the Scheduled Caste or as the case may be the Scheduled Tribes.
Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Tribes and the Scheduled Castes) of the total number of seats to be filled by direct election to every Council for women: and such seats may be allotted by rotation to different wards in a municipality.

The State Government shall carry out the determination of the boundaries of the wards in a Municipality and the allocation of seats reserved in favor of the Scheduled Castes, Scheduled Tribes and women among the wards in the prescribed manner.

A person shall be disqualified for being chosen as and for being, a member of a municipality:

(a). if he is so disqualified by or under any law for the time being in force for the purposes of elections to the Manipur Legislative Assembly; Provided that no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty-one years;

(b). if he is so disqualified by or under any law made by Manipur Legislative Assembly;

(c). if he is not registered as an elector in the electoral roll for a ward;

(d). if he is not ordinarily resident within the ward from which he is seeking election. Every Municipality, unless dissolved under this Act shall continue for five years from the date appointed for its first meeting after or general election at which a quorum is present and no longer.

An election to constitute a municipality shall be completed:
(a) before the expiry of its duration specified in Sub-Section (i);

(b) before the expiration of a period of six months from the date of its dissolution.

Provided that where the remainder of the period for which the dissolved municipality would have continued is less than six months, it shall not be necessary to hold any election under this sub-section of constituting the municipality for such period.

Provided further that the result of election shall be notified. A municipality constituted upon the dissolution of a Municipality before the expiration of its duration shall continue only for the remainder of the period for which the dissolved municipality would have continued under sub-section (i) had it not been so dissolved.

For every Council, there shall be a Chairperson and a Vice-Chairman.

The State Government shall appoint a person to preside over the meeting and for the purpose of the business mentioned in sub-section (i).

The Chairperson may resign his office by writing a letter of resignation addressed to the Vice-Chairperson, who shall forthwith with delivery the letter to the Executive Officer.

The Vice-Chairman or a Councillor may resign his office by writing a letter of resignation addressed to the Chairperson, who shall forthwith deliver the letter to the Executive Officer.

The resignation under sub-section (1) or sub-section (2) shall take effect from the date on which it is accepted by the Government.
The Executive Officer shall forthwith intimate the fact of resignation received under sub-section (1) or sub-section (2) to the Council and the State Government.

On receipt of the intimation under sub-section (4), the State Government shall notify in the Official Gazette the fact of the resignation and occurrence of casual vacancy consequent thereon.

The State Government may remove any elected Councilor on the ground of his misconduct in the discharge of his duties if the removal is recommended by a resolution of the municipality passed at a special meeting called for the purpose and supported by a majority of the total number of Councillors of the Municipality and by a majority of not less than two third of Councillors present and voting in such a meetings. The State Government may remove any councilor:

(a) if he ceases to reside within the Municipality continuously for a period of twelve months.

(b) if he has been declared by the State Government by notification to have violated his oath or affirmation of allegiance; or

(c) if he becomes disqualified by or under any law for the time being in force for the purposes of election to the Manipur Legislative Assembly or

(d) if he has within the meaning of Section 59, Knowingly acquired or continued to hold without the permission in writing of the State Government, directly or indirectly or as a partner, any share or interest in any contract or employment with, by or on behalf of the Municipality; or

(e) if he in arrears of any kind of dues to the Municipality for more than six months after a bill or a notice has been duly served on him.
Provided that no Councillor shall be removed under Sub-section (1) or Sub-section (2) unless has been given an opportunity of being heard.

(1). The State Government may remove by a notification in the Official Gazette from office the Chairman or the Vice-Chairman, in pursuance of a resolution passed by a majority of the total number of the Councillors and supported by not less than two third of the Councillors present and voting at a meeting specially convened for the purpose under Sub-section (2).

(2). For the purpose of Sub-Section (1) a meeting of the Nagar Panchayat or of the Council shall be held in the following manner:

(i). the meeting shall be convened by the Executive Officer on a requisition signed by not less than one-fifth of the total number of councilors constituting the Nagar Panchayat or the Council for the time being;

(ii). the notice of such a meeting specifying the time and place thereof shall be dispatched by the Executive Officer to every councilor ten days before the meetings;

(iii). the Chairperson or the Vice-Chairperson as the case may be, against whom the resolutions referred to in Sub-Section (1) is to be moved. shall not preside over the meeting;

(iv). a copy of the notice shall be sent to the State Government.

(3) If the office of the Chairperson becomes vacant all powers and duties of the chairperson, may until the election of a new Chairperson be exercised and performed by the Vice-Chairperson.
(4) The removal of the Chairperson or the Vice-Chairperson under Sub-Section (1) shall be effective from the date of its resolution in this regard.

**Powers and Functions of the Chairperson:**

It shall be the functions of the Chairperson:

(a) to preside, unless prevented by reasonable cause, overall meetings of the Nagar Panchayat or the Council as the case may be, and subject to the provisions of the bye-laws for the time being in force to regulate the conduct of business at such meetings;

(b) to watch over the financial and executive administration of the Nagar Panchayat or the Council as the case may be and perform such executive functions as may be allotted to him by or under this Act and rules or by-laws framed there under;

(c) to exercise supervisory and executive control over acts and duties of all officers and employees of the Nagar Panchayat or the functions and the accounts and records of the Nagar Panchayat or the Council as the case may be;

(d) to direct, in case of emergency, the executive or stoppage of any work or doing of any act which requires the sanction of the Nagar Panchayat or the Council as the case may be, and the immediate execution or doing of which is in two opinion necessary for execution of such work or doing of such act shall be paid from Municipal Fund.

Provided that:
He shall not act under Clause (d) in contravention of any order of the Nagar Panchayat or the Council, as the case may be, prohibiting the execution of any particular work or the doing of any particular act; and

He shall report forthwith the action taken under Clause (d) and the reasons therefore to the Nagar Panchayat or the Council as the case may be at its next meeting.

Functions of Vice-Chairman:

(a). In the absence of the Chairperson and unless prevented by reasonable cause, to preside over the meetings of the Nagar Panchayat or the Council, as the case may be and he shall, when so presiding, exercise the same authority as is vested in the Chairperson under clause (a) of Section 33;

(b). Pending the election of a chairperson, or during the absence of the Chairperson to exercise the powers and perform the duties of the chairperson.

Obligatory Functions of the Municipality:

It shall be the duty of every Municipality to make reasonable provision of the following matters within the Municipality under its jurisdiction, namely:

(a). lighting; public roads and places;

(b). watering public roads and places;

(c). cleaning public roads, places and sewers and all spaces not being private property, which are open to the enjoyment of the public whether such spaces are vested in the municipality

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4 ibid, Chapter IV, Sec. 37.
or not, removing noxious vegetation and abating all public nuisance;

(d). removing filth, rubbish, night-soil, odor or any other noxious offensive matter from privies, latrines, urinals, cesspools of other common receptacles for such matter in or pertaining to a building or buildings;

(e). extinguishing fires and protecting life and property when fire occurs;

(f). regulating offensive or dangerous trades or practices;

(g). removing obstructions and projections in public roads or places and in spaces not being private property, which are open to the enjoyment of the public whether such spaces are vested in the Municipality or belong to the State Government;

(h). securing or removing dangerous buildings or places and reclaiming unhealthy localities;

(i). acquiring, maintaining, changing and regulating places for the disposal of dead bodies and of the carcasses of dead animals;

(j). constructing, altering and maintaining public roads, culverts, municipal laundry marks, markets, slaughter houses, drains, sewers, drainage-works, sewerage-tanks, wells, dams and the like;

(k). constructing public latrines, privies and urinals;

(l). obtaining a supply or an additional supply of water proper and sufficient for preventing danger to the health of inhabitants from the insufficiency of un wholesomeness of the existing supply;
(m) naming streets and numbering houses;
(n) registering births and deaths;
(o) suitable accommodation for any calves, cows or buffaloes required within the municipality for the supply of animal lymph;
(p) printing such annual reports on the administration of the municipality as may be necessary or the State Government may be general or special orders require the municipality to print;
(q) making arrangement for preparation of compost manure from night-soil and rubbish; and
(r) establishing and maintaining cattle pounds.

Special Duties and Discretionary Functions of Municipality.⁵

Subject to such reasonable provisions as may be made under Section 37 every Municipality shall make reasonable provision for the following special matters, namely:

(a) providing special medical aid and accommodation for the sick in times of a dangerous disease and taking such measuring as may be required to prevent the outbreak or suppress and prevent the recurrence of the disease; and

(b) giving relief and establishing and maintaining relief works in times of famine or scarcity to or for destitute persons within the limits of the Municipality.

A Municipality may, at its discretion, provide out of the Municipal property and fund either wholly or partly for:

⁵ ibid. Section 38 & 39.
(a) laying out, whether in areas previously built upon or not, new public roads and acquiring land for the purpose including land acquired for the construction of buildings for cartilages thereof, to about on such roads;

(b) constructing, establishing, maintaining, or contributing to the maintenance of public parks, gardens, libraries, museums, reading room, balls, offices, dharmashalas, rest houses, encamping grounds and other public buildings and places;

(c) constructions and maintaining where necessary suitable sanctuary houses for the habitation of the poor and granting loans for the construction of such houses for effecting necessary improvements connected therewith;

(d) providing accommodation for any class of servants employed by the municipality or granting loans to such servants for construction of houses subject to the rules made in this behalf;

(e) planting and maintaining trees in the roads side;

(f) securing or assisting to secure suitable places for the carrying on the offensive trade mentioned in Section 167.

(g) supplying, constructing and maintaining receptacles, fitting pipes and other appliances whatsoever to or for the use of private premises for receiving and conducting the sewage thereof into sewers under the control of the municipality;

(h) the public health and infant welfare;

(i) contribution towards any public fund raised for the relief of human suffering within and without the municipality;

(j) any public reception, ceremony, entertainment, or exhibition within the Municipality by a resolution passed at a general
meeting and supported by one-half of the total number of
councilor;

(k) the organization or maintenance of shops or stall for the sale
of necessities of life;

(l) holding fairs and exhibitions;

(m) supply of milk;

(n) establishing labor welfare centers for its employees and
subsidizing the activities of any association, union or club of
such employees by grant of loan for its general
advancement;

(o) maintenance of ambulance services;

(p) establishing and maintaining public hospitals and
dispensaries and providing public medical service;

(q) providing facilities for anti-fabric treatment and meeting the
expenses of indigent person undergoing anti-fabric treatment
within or outside the Municipal limits;

(r) housing and maintaining destitute, orphan and cripples and
maintaining maternity center and child welfare clinic;

(s) establishing rescue houses;

(t) any other matter which is likely to promote education or the
public health safety or convenience or the advancement of
economic condition of the inhabitants of the Municipality or
which is necessary for the purposes of this Act.

Power for Taxation. 6

The State Government may, from time to time, by notification, in
the Official Gazette:

6 Ibid. Section 74 & 75.
(a) authorise a Municipality to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such conditions and limits to be prescribed by it;

(b) assign to a Municipality such taxes and duties, tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits to be prescribed by it;

(c) provided for making such grant-in aid to the Municipalities from the Consolidated Fund of the State.

Subject to the provisions of this Chapter and with the previous approval of the State Government, Municipality may from time to time impose in the whole or in any part of the Municipality any of the following taxes and tolls, namely:

(a) a tax on holding situated within the Municipality assessed on their annual value, payable by the owner of the building or land or both;

(b) a tax on all or any of the vehicles, other than, covered by the Motor Vehicles Act, 1988 or animals used for riding, driving, draught or burden and used within the limits of the municipality whether they are actually kept within or outside the said limits;

(c) an octroi on goods brought within the limits of the Municipality for sale, consumption or use within such limits;

(d) a latrin-tax payable by the owners or occupiers for collections, removal and disposal of excrement or offensive matter from latrines, privies, urinals, cess-pools or
compounds by the Municipality: within the limits of the Municipality;

(e). a scavenging tax:

(f). lighting-tax where the lighting arrangement is made by the Municipality;

(g). a drainage tax where a system of drainage has been introduced by the Municipality;

(h). a tax on deeds of transfer of movable property situated within the limits of the Municipality;

(i). a tax on advertisement made the limits of the municipality other than non-commercial undertaking advertisements published in newspapers;

(j). a water-tax where water is supplied by the Municipality;

(k). market fees on person exposing goods for sale in any market or any place belonging to or under the control of the State Government or of the Municipality;

(l). a betterment charge on properties the value of which may be increased as a result of town planning scheme implemented by the Municipality; and

(m). any other tax, toll, rate, charge or fee.

Other Powers of Municipality:  

A Nagar Panchayat or as the case may be, a Council may:

(a). layout or make new public road; or
(b) widen, open, enlarge or otherwise improve any public road and construct tunnels and other works subsidiary to such road; or

(c) divert, discontinue or close permanently any public road; or

(d) to repair private roads, drains etc. in public interest;

(e) to prohibit the use of public roads by a class of animals, carts or vehicles etc.:

(f) do remove encroachment, obstruction, and projection in on public road;

(g) to grant sanction for erection of buildings;

(h) to require fencing of building I dangerous state;

(i) nagar Panchayat or Council may require owners to pull down ruins;

(j) to require owners or occupiers of the Municipal lands to clear noxious vegetation;

(k) to require owners or occupiers of the Municipal lands to improve Bad drainage and to cleanse or drain, wholesome tanks and premises;

(l) to require the owners or occupiers of the wells, tanks, excavations etc. which are dangerous to the passerby for want of sufficient repair, to secure the same;

(m) to demolish unauthorized drains leading into public places;

(n) to require the owner of a land to drain the same property;

(o) to arrange establishment for removal of sewage, offensive matter, rubbish etc.:

(p) to supply drinking water;

(q) to order removal of latrines, urinals, cesspool etc. near any source of water-supply;
(r). to order removal of unauthorized construction or tree over public drain or water-works;
(s). to sanction. out of its fund, expenditure on maintaining burial and burning places;
(t). to issue licenses to the butcher;
(u). to regulate offensive trades;
(v). to issue license for the cinemas, dramatic performances, circuses etc.
(w). to close market, tea-stall etc. for preventing the spread of any contagious disease.
(x). to provide places, such as, park, play-ground, open spaces etc., for recreation;
(y). to discharge functions in respect of the establishment, maintenance and management of pounds, under section 31 of the Cattle Trespass Act, 1871.

Municipal Fund: 8

There shall be formed for each Nagar Panchayat and for each Council a Municipal fund to be called the “Municipal Fund” as the case may be, for the purposes of this Act and subject to the provisions thereof.

The Municipal Fund shall vest in the Nagar Panchayat or the Council, as the case may be.

There shall be credited to the Municipal fund:

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8 ibid. Chapter VII. Sec. 67, 68, 69, 71, 72, 73.
(a). all sums received by or on behalf of the Nagar Panchayat or the Council under the provisions of this Act or of any other law for the time being in force or under any contract;

(b). the balance, if any, standing at the credit of the Nagar Panchayat or the Council at the commencement of this Act;

(c). all proceeds of the disposal of property by or on the behalf of the Naagar Panchayat or the Council;

(d). all rents accruing from the Municipal property of the Nagar Panchayat or the Council:

(e). all moneys raised by any tax levied for the purposes of this Act;

(f). all fees payable and levied under this Act;

(g). all moneys received by the Nagar Panchayat or by the Council by way of compensation or for compounding offences under the provisions of this Act;

(h). all moneys received by or on behalf of the Nagar Panchayat or the Council from the State Government or private individuals by way of grants, contribution, gift or deposits; and

(i). all interest and profit, arising from any investment of or from any transaction in connection with, any money belonging to the Nagar Panchayat or the Council.

A Nagar Panchayat or a council has also power to borrow money from the State Government or any financial institution, any sum of money required or empowered to undertake under the provisions of this Act.
A Nagar Panchayat or a Council at a meeting specially convened for the purpose, two months before the close of the financial year, shall prepare in such form and manner as may be prescribed, a budget showing inter-alia the probable receipts and expenditure during the ensuing year and after such revision as may appear requisite it shall pass the budget and such budget shall be submitted to the Director or obtaining approval of the State Government.

Every Municipality shall maintain such accounts for every financial year in such forms as may be prescribed and submit such statement to the Deputy Commissioner, the Director and the state Government and such accounts shall be audited by the Director, Local Fund Audit and Accounts of the Government of Manipur in such manner as may be prescribed.

The State Finance commission constituted under Section 97 of the Manipur Panchayati Raj Act 1994, shall also review the financial position of the Municipalities and make recommendations to the Governor as to:

(a) the principles which should govern:

(i). the distribution between the State and the Municipalities of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this Act and the allocation between the Municipalities at all levels of their respective shares of such proceeds:

(ii). the determination of the taxes, duties, tolls and fees which may be assigned to, or appropriated by the Municipalities:
(iii). the grant-in-aid to the Municipalities from the consolidated fund of the State;
(b) the measures needed to improve the financial position of the Municipalities;
(c) any other matter reflected to the Finance Commission by the Governor in the interest of sound finance of the Municipalities.

The Governor shall cause every recommendation made by the Commission under this Section together with an explanatory memorandum as to the action taken thereon to be laid before the Legislature of the State.

**Rules and Bye Laws Making Power of Municipality:**

A Municipality may, frame bye-laws consistent with the provisions of this Act and the rules made there under for carrying out the provisions of this Act, for:

(i) any matter in respect of which power to frame bye-laws is conferred expressly on the Municipality under this Act;
(ii) regulating traffic, and preventing obstruction and encroachments and nuisances on or near public roads or on or near pontoon bridges, ghats, landing places, river banks or other places of public resort or on places near water works for the supply of drinking water;
(iii) prescribing a minimum width of wheel-types or a minimum diameter and the maximum wheel-tracks or wheels for different classes of carts and carriage kept or used within the Municipality:

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(iv) prescribing the manner in which notice of the intention to erect, re-erect, materially alter a building shall be given to the Municipality:

(v) regarding notice to be given to the Municipality the erection re-erection, material alteration of a building and plan and specification and in the case of erection or re-erection of a building, estimate also of the cost of construction (excluding cost of land and its improvement) of the building, all such characters and which such details as the bye-laws may require in respect of all or any of the following matters, viz.

(a) free passage or way in front of the building;
(b) space to be left about the building to secure free circulation of air and facilitate scavenging and for the prevention of fire;
(c) provision and position of latrines, privies, urinals, cesspools or drain;
(d) level and width of foundation level of the lowest floor, and stability of the structure; and the line of frontage with neighboring buildings, if the building abuts on a public road;

(vi) Regulating in respect of the erection, re-erection or material alteration of any building within the Municipality or part thereof:

(a) the materials and method of construction to be used for external and partition walls, roofs and floors;
(b) the materials and method of construction and position of fire places, chimneys, latrines, privies, urinals, cesspools and drains;
(c) the height and slope of the roof above the uppermost floor upon which human beings are to live or cooking operations are to be carried on:
(d). the space to be left about the building to secure the free circulation of air and for the prevention of fire;

(e). the line of frontage where the building abuts on a public road;

(f). the number and height of the storeys of which the building may consist;

(g). the means to be provided for egress from the building in case of fire:

(h). any other matter affecting the ventilation or sanitation of the building; and

(i). matter concerning sanitary conditions and water pollution of the area;

(vii) Preventing the erection of building without adequate provisions being made for the laying out and location of roads;

(viii) regulating the level, means of drainage, alignment and width of roads constructed by private persons;

(ix) regulating the use of and the prevention of nuisance in regard to public water-supply, bathing and washing place, streams, channels, tanks and wells;

(x) regulating either by granting licences necessary or otherwise the washing of clothes by professional washerman and fixing the places in which clothes may be so washed or in which they may not be so washed:
(xi) prescribing the measures to be taken for the prevention of the breeding of mosquitoes in wells, tanks, pools, excavations, cisterns or other places or vessels containing or capable of containing water;

(xii) regulating the cutting of trees and bamboos within the municipality;

(xiii) regulating the disposal of sewage, offensive matter, carcasses of animals and rubbish and the construction and maintenance of latrines, privies, urinals, cesspools, drains and sewers;

(xiv) providing for the inspection and regulation of markets and for the preparation and exhibition of a price list threat;

(xv) regulating the hours and manners of transport within the municipality of any specified articles of food or drink;

(xvi) fixing the places in which any specified article of food or drink may be sold or exposed for sale or the places in which it may not be sold or exposed for sale and regulating the sale of foodstuff unfit for human consumption;

(xvii) regulating, either by granting licenses necessary or otherwise or prohibiting for the purpose of preventing danger to the public health the slating or herding of horses, cattle, swine, donkeys, sheep or goats, geese, ducks and fowls;

(xviii) providing for inspection of milk cattle and prescribing the measures to be taken on the occurrence among them of infections or contagious diseases: and prescribing and regulating the construction, dimensions, ventilation, lighting, cleansing, drainage and water supply of dairies and cattle-sheds in the occupation of persons carrying on the trade of dairymen or milk sellers:
(xix) proving for the inspection and proper regulation of encamping grounds, pounds, serices, or dharmasalas, bakeries and aerated water factories, ice factories, floor mills, oil mills, sweetmeat shops factories and other places in which mechanical or electrical power is employed, and slaughter-houses.

(xx) preventing nuisances affecting the public health, safety, or convenience in place of public resort for purposes of recreation or amusement;

(xxi) preventing nuisances affecting the public health, safety or convenience;

(xxii) controlling and regulating the use and management of burial and burning grounds and the disposal of corpses;

(xxiii) providing for the holding of fairs and industrial exhibitions within the municipality or under the control of the municipality and for fixing and collecting the fees to be levied there at;

(xxiv) fixing the conditions on which licenses under this Act are to be granted and may be suspended or revoked;

(xxv) preventing and removing any encroachments on any municipal land including markets, drains, roads etc.;

(xxvi) giving effect to the objects and purposes of this Act and the Municipality may by such by-laws impose offenders against any provision of the bye-laws such reasonable penalties as it may think fit not exceeding five thousand rupees for each offence, and in case of a continuing offence, a further penalty not exceeding two hundred rupees for each day after written notice of the offence to them from the municipality:
provided that the above limits of rupees five thousand and rupees
two hundred shall not apply to the offences in respect of the bye-laws
regulating octroi.

(xxvii) distribution of works among the officers and the members
of the staff of the municipality.

A Nagar Panchayat or Council whose Municipality is wholly or in
part situated in a hilly tract may in addition on such bye-laws as it may
make under the previous section frame by-laws for regulating or
prohibiting the cutting or destroying of tree; or shrubs or the making of
excavations or removal of soil or quarrying where such regulation or
prohibition appears to the Nagar Panchayat or the Council to be necessary
for any or all the following purposes:

(a). the maintenance of water supply;
(b). the preservation of the soil;
(c). the prevention of landslips;
(d). the formation of ravines or torrents;
(e). the protection of land against erosion or the deposit
thereon of sand, gravel or stones;
(f). the protection of the beauty or general appearance of the
Municipality.

(2) The Nagar Panchayat or the Council may by any bye-law
framed under this section, declare that any person committing a breach of
any such bye-law, of failing to comply with any notice issued there under,
shall be liable to five which may extend to two hundred rupees for each
day after conviction during which the offence is continued.
The above bye-laws should be confirmed by the State Government, otherwise they shall not be valid.

Control over a Nagar Panchayat or Council.\textsuperscript{10}

The Deputy Commissioner or the Director or any officer so empowered by the Government in this behalf may at any time:

(i) Enter into and inspect or cause any other person to enter into or inspect any movable property in the occupation of or any work in progress under or any institution under the control and administration of the Nagar Panchayat or as the case may be, the council and (ii) call for inspection of any book or document which may be for the purpose of this Act, in the possession or under the control of the Nagar Panchayat or as the case may be the Council.

The Government or the Deputy Commissioner may by order in writing suspend the execution of any resolution or order of the Municipality or prohibit the doing of any Act which is about to be done or is being done, in pursuance of or under this Act, or in pursuance of any sanction or permission granted by the Municipality in the exercise of their powers under this Act, if in its or his opinion, the resolution, order or act is contrary to the public interest or is in excess of the powers conferred by law, or the execution of the resolution of order, of the doing of the act is likely to lead to a serious breach of the peace or to cause serious injury or annoyance to the public, or to any class or body of persons.

If in the opinion of the Government, a Nagar Panchayat or a Council, as the case may be, is not competent to perform or persistently make default in the performance of the obligatory duties imposed upon it

\textsuperscript{10} ibid. Chapter XIII, Clause 202, 205, 204, 203, 206 & 207.
by or under this Act or exceed or abuse its power the Government may by notification stating the reasons for so long declare such Nagar Panchayat or Council to be incompetent or in default or to have exceed or abused its power, as the case may be, and dissolve such Nagar Panchayat or Council.

In any case of emergency, the Deputy Commissioner in consultation with a technical advisor immediately available may execute in the public interest any work which the Nagar Panchayat or the Council has the power to execute.

The Government or Deputy Commissioner may suspend the execution of any resolution or order of the municipality or prohibit the doing of any act which is about to be done or is being done, in pursuance of or under this Act, or in pursuance of any sanction or permission granted by the Municipality in the exercise of their powers under this Act, if in its or his opinion, the resolution, order or act is contrary to the public interest or in excess of the powers conferred by law, or the execution of the resolution of order, of the doing of the act is likely to lead to a serious breach of the peace, or to cause serious injury or annoyance to the public or to any class or body of persons. During the period of such suspension or dissolution, any person appointed by the State Government shall exercise the powers and functions of the Nagar Panchayat or the Council. On the expiry of the period of six months from the date of suspension or dissolution of the Nagar Panchayat or the Council fresh election to be held for the constitution of a new Nagar Panchayat or a new Council.

An order of dissolution shall have the following consequences, namely:
(a). all the councillors of the Nagar Panchayat or of the Council shall, as from the date of order, vacate their offices as such councillors;

(b). all the powers and duties which under the Act may be exercised and performed by the Nagar Panchayat or the Council, whether at a meeting or otherwise shall during the period of dissolution, be exercised and performed by such person or persons as the Government may direct;

(c). all property vested in such Nagar Panchayat or the Council shall, during the period of dissolution, vest in the Government.

When a dispute arises between a Nagar Panchayat or a council or any other local authority on any matter which they are jointly interested, such dispute shall be referred to Government, whose decision shall be final.

The Government may regulate by rules made under this Act the relation to be observed between a Nagar Panchayat or a Council and other local authorities in any matter in which they are jointly interested.

So far, the Manipur Municipalities (Election of Councillors) Rules were amended four times. They are shown here under:

Election of Councillors 1st Amendment Rules 1995 11


No. 2/7/94 – MAHUD – Whereas the draft Manipur Municipalities (Election of Councillors) (1st Amendment) Rules, 1995 was published as required under Sub - section (1) of Section 208 of the Manipur

Municipalities Act, 1994 in the Manipur Gazette, Extraordinary No. 18 dated 17-4-1995 under the Government Notification No. 2/794–MAHUD dated 17-4-1995 inviting objections and suggestions from the persons likely to be effected thereby within 15 (fifteen) days from the date of publication to the said notification, in the Official Gazette.

And whereas no objections and suggestions, have been received by the Govt., of the said draft, therefore, in exercise of the power conferred by Sub – Section (1) of Section 208 of the Manipur Municipalities Act, 1994, the Government of Manipur thereby make amendment of the following rules:

1. Short title and commencement.
   
   (i) These rules may be called the Manipur Municipalities (Election of Councillors) (Amendment) Rules, 1995.
   
   (ii) They shall come into force from the date of their publication in the official Gazette.

2. Amendment of rule II: In the first provision to rule II of the Manipur Municipalities (Election of Councilor) Rules, 1994 (hereafter referred to as the Principal Rules), for the words “sixty days”, the words “forty-five days” shall be substituted.

3. Amendment of Rule 37 – Sub-rules (6), (7) and (8) of the Principal Rules shall be deleted.

4. Amendment of Rule 38 – In Sub-rule (1) of rule 38 of the Principal Rules the words “ or English Language” shall be defied.

5. Amendment of Rule 43 – In Sub-rule (3) of rule 48 of the principal Rules for the words “both English and Manipuri Language”, the word “Manipuri” shall be substituted.
6. Amendment of Rule 78 – Clause (v) of sub-rule (1) of rule 78 of the Principal Rules shall be deleted.

The Manipur Municipalities (Election of Councilors) (Second Amendment) Rules 1995

1. Short title and commencement:

(i) These rules may be called the Manipur Municipalities (Election of Councilors) (Second Amendment) Rules, 1995;

(ii) These rules shall come into force from the date of their publication in the Official Gazette.

2. Insertion of new rule 109-A: After rule 109 of the Manipur Municipalities (Election of Councilors) Rules, 1994, the following new rule shall be inserted, namely:

“109-A. Seat to be unreserved for Municipalities – Not withstanding anything contained in 109, one seat out of the total seats available in an Assembly Constituency located within a Municipality shall be unreserved excluding seat reserved for ST/SC women. Provided that if by draw of lots, it is found that no such unreserved ward is available as a means of the lot, that particular lot shall be disregarded and a fresh lot drawn.”

Explanation: For the purposes of these Rules, the words, “Assembly Constituency” shall have the same meaning as defined in the Representation of The People Act, 1950.

Explanation: “Unreserved” means and reserved for women under these rules excluding seats reserved for ST/SC women.

The Manipur Municipalities (Election of Councillors) (Third Amendment) Rules 1995\(^\text{13}\)

No. 2/7/94 MAHUD (Pt): Whereas the draft Manipur Municipalities (Election of Councilors) (3\(^{rd}\) Amendment) Rules, 1995 was published as required under Sub-Section (1) of Section 268 of the Manipur Municipalities Act, 1994 in the Manipur Gazette Extraordinary No. 99 dated 3-6-95 under the Government Notification No. 2/7/94 MAHUD dt. 3-6-95 inviting objections/suggestions from the persons likely to be effected thereby within 7 (seven) days from the date of publication of the said Notification in the Official Gazette.

And whereas no objections and suggestions, have been received by the Government on the said draft.

Now, therefore, in exercise of the power conferred by Sub-Section (1) of Section 208 of the Manipur Municipalities, Act 1994, the Government of Manipur hereby make amendment of the following rules:

1. Short title and commencement:

(i) These rules may be called the Manipur Municipalities (Election of Councilors) (3\(^{rd}\) Amendment Rules, 1995).

(ii) They shall come into force from the date of their publication in the official Gazette.

2. Substitution of Rule 110: Reservation of the Office of the Chairperson of the Municipalities:

(i) The Office of the Chairperson of the Municipalities shall be reserved for Scheduled Castes and Scheduled Tribes and Women once in three consecutive duration and it

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\(^{13}\) ibid. p.1-2.
may be allotted by rotation to different Municipalities to be decided by the State Government by draw of lots in public and such reservation shall be notified on the Official Gazette.

(ii) The draw of lots shall be done in two stages. The first stage shall be for selection of not less than one third of the Municipalities for which the office of the Chairpersons are to be reserved and the second stage shall be for selection of reservation for Scheduled Castes or Scheduled Tribes or women from amongst the Municipalities selected in the first stages. Provided that the second stage of draw of lots shall not be conducted the Municipalities where there are no wards reserved for Scheduled Castes and Scheduled Tribes and the office of the chairperson shall be reserved in cases for women.

(iii) The reservation of seats for the second duration of the Municipalities after the commencement of the Act shall not less than half of the remaining Municipalities excluding those selected during first duration. The remaining balance shall be automatically reserved for the third duration.

**Explanation:** 1. Scheduled Castes and Scheduled Tribes reserved includes reservation for Scheduled Castes and Scheduled Tribes women.

**Explanation:** 2. Duration for the purpose of the Chapter means terms of the Municipality.
3. Deletion: The following 3(three) entries on the counterfoil of the plain paper prescribed in Form – 17 under Rule 48(1) of the Municipality (Election of Councilors) Rules. 1994 shall be deleted, namely:

Following Station No.

Polling Station Name

Signature of Polling Officer

The Manipur Municipalities (Election of Councillors) (4th Amendment) Rules 1995

No. 2/18/04 – MAHUD: Whereas the Draft Manipur Municipalities (Election of Councilors) (4th Amendment Rules, 1995 was published as required under Sub-Section (1) of Section 208 of the Manipur Municipalities Act, 1994 in the Manipur Gazette Extraordinary No. 100 (A) dated 1-8-1995 under the Government Notification No. 2/11/94 – MAHUD dated 1-8-95 inviting objections/ suggestions from the persons likely to be effected thereby within 7(seven) days from the date of publication of the said notification in the Official Gazette.

And whereas no objection and suggestions, have been received by the Government on the said draft.

Now, therefore, in exercise of the power conferred by Sub-Section (1) of Section 208 of the Manipur Municipalities Act 1994. The Government of Manipur thereby makes amendment of the following rules:

1. Short title and Commencement:

\[\text{ibid, p. 1–2.}\]
(i) These rules may be called the Manipur Municipalities (Election of Councilors) (Fourth Amendment) Rules, 1995.

(ii) These rules shall be commenced to have come into force of with effect from 18-7-1995.

2. Amendment of rule 111: The rule 111 of the Manipur Municipalities (Election of Councilors) Rules, 1994:

(i). After the second provision to Sub- rule (4); under the following provision shall be inserted, namely, "provided also that in the event of equality of votes, the election for the office of Chairperson or Vice-Chairperson of the Municipal Council or Nagar Panchayat may be decided by draw of lots in the presence of the Sub-Divisional Officer."

(ii). After Sub – rule (4) the following Sub – rule (5) shall be inserted, namely:

(1) Not-withstanding anything contained in these rules, the election for the office of Chairperson or Vice-Chairperson of Municipal Council or Nagar Panchayat already scheduled to be held may be postponed by the State Government by stating all the reason in the order even after the receipt of nomination and preparation of list of validity nominated candidates shall remain valid for the postponed elections and the postponed elections shall be resumed from the stage from which it was held up."
APPENDIX-III

MANIPUR PANCHAYATI RAJ ACT, 1994

Under the Manipur Panchayati Raj Act, 1994, the 1st election of Panchayats was held on 31st January 1997.

According to the Indian Constitution's Article 243B(2), there shall not be block level.

In the Clause (1) of the Indian Constitution, there shall be constituted every State Panchayats at the village level intermediate with provisions of this part.

In the Clause (2), not withstanding anything in Clause (1) Panchayat at the intermediate level may not be constituted in a State having a population not exceeding twenty lakhs.

That is why, the Manipur Panchayati Raj Act, 1994 functioning only two tier i.e. Gram Panchayat at the village level and Zila Parishad at the District level.¹

The Manipur Panchayati Raj Act, 1994

It extends to the whole of the State of Manipur excepting any area to which the Manipur (Hill Areas) District Council Act 1971 or the Manipur (Village Authorities Hill Areas) Act 1956 extends, or which has been or may thereafter be declared as, or included in a municipality under any law for the time being in force, or which has been or may thereafter be declared as or included in a cantonment under the Cantonment Act 1924.² under that Act Gram Panchayat and Zila Parishad were constituted.

The Manipur Panchayati Raj Act, 1994 envisages a two-tier system at the village level. Gram Sabha and at the District level Zila Parishad. It is keeping with the Constitutional Provisions related to Panchayats for greater participation of the people and more effective implementation of rural developmental programmes.

Gram Sabha

A Gram Sabha shall consist of all persons whose names are included in electoral rolls referred to in Section 15 within the area of the gram Sabha.\(^3\)

It should be provided that

1. No person shall be a member of more than one Gram Sabha.

2. A person shall be disqualified for being a member of the Gram Sabha if
   a. He is not a citizen of India;
   b. He is of sound mind and stands so declared by a competent Court;
   c. He is for the time being disqualified from voting under the provision of any law relating to corrupt practices and other offences in connection with election to State Legislature.

3. A member of Gram Sabha shall cease to be a member if he has ceased to be ordinary resident within the Gram Sabha area.

4. Where any person ceased to be a member of Gram Sabha under-sub-section (1) he shall also cease to hold any office to which he may have been elected or appointed by virtue of being a member thereof.\(^4\)

The Gram Sabha shall meet from time to time but six months shall not intervene between any two meetings.\(^5\) It shall hold meeting twice every year. The quorum for the meeting of the Gram Sabha shall be one-tenth of its total membership. If at the time appointed for the meeting, a quorum is not present, the person presiding shall wait for thirty minutes, and if within such period, there is no quorum, the person presiding shall adjourn the meeting to the same time on the same day in the following week. A notice of the meeting be fixed shall be posted in the office of the Gram Panchayat. The business, which could not be considered at the meeting so postponed for want of quorum, shall be brought before and disposed of at the meeting so fixed or at any subsequent adjourned meeting at which there is no quorum.\(^6\)

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\(^3\) Ibid Sec. 3. Sub-Section 2.
\(^4\) Ibid. Section 4.
\(^5\) Ibid. Section 5.
\(^6\) Ibid. Section 7.
Every meeting of the Gram Sabha shall be presided over by the Pradhan of the concerned Gram Panchayat and in his absence by the Upa Pradhan and in the absence of both by a member of the Gram Panchayat to be chosen from amongst the members of the Panchayat.7

The Gram Panchayat shall prepare the agenda for discussion of the Gram Sabha, such matters shall relate to the following:

(a) The annual statement of accounts of the Gram Panchayat, the report of administration of the preceding financial year and the last audit note and replies if any, made thereto;

(b) The budget of the Gram Panchayat for the next financial year; and

(c) The report in respect of development programmes of the Gram Panchayat relating to the preceding year and development programmes proposed to be undertaken during current year.8

(d) Any resolution relating to the functions entrusted to the Gram Sabha under Section II, shall have to be passed by a majority of votes of the members present and voting in the meeting of the Gram Sabha.9

Powers and Functions of Gram Sabha:10

(a) Rendering assistance in the implementation of development schemes pertaining to the village;

(b) Identification of beneficiaries for the implementation of development schemes pertaining to the village provided that in case the Gram Sabha fails to identify the beneficiary within a reasonable time the Gram Panchayat can identify the beneficiaries.

(c) Mobilizing voluntary labour and contributions in kind or cash or both for the community welfare programmes;

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7 Ibid. Section 8.
8 Ibid. Section 9.
9 Ibid. Section 10.
10 Ibid. Section 11.
(d) To promote adult education and family welfare within the village;

(e) Promotion of unity and harmony among all sections of society of society in the village;

(f) Such other matters as may be prescribed.

The Gram Sabha may also form one or more vigilance Committees consisting of persons, who are members of the gram Panchayat to supervise the gram Panchayat work, schemes and other activities and to put up reports concerning them in the meeting.\textsuperscript{11}

**Gram Panchayat**

A Gram Panchayat shall consist of the Pradhan and such number of directly elected members as may be notified from time to time by the State Government and one member for every 350 population or part thereof of the Panchayat area shall be elected as a member of such Panchayat.\textsuperscript{12}

Seats shall be reserved for Scheduled Castes and Scheduled Tribes in every Gram Panchayat and the number of seats so reserved shall be at, as early as may be the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of Schedule Castes or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats shall be allotted by rotation to different constituencies in such Gram Panchayat, in such manner as may be prescribed. Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Caste and the scheduled Tribes) of the total number of seats to be filled by direct election in every Gram Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Gram Panchayat in such manner as may be prescribed.\textsuperscript{13}

For the purpose of election of the Pradhan and the members of the gram Panchayat, the Deputy Commissioner divides the area of the Gram Sabha into territorial constituencies. Each territorial constituency elects its own member. The Pradhan and members of the Gram Panchayat shall elect

\textsuperscript{11} Ibid. Section 12.
\textsuperscript{12} Ibid. Section 17.
\textsuperscript{13} Ibid. Section 19.
by direct election under secret ballot by the members of the gram Sabha from among themselves in such manner as may be prescribed.\textsuperscript{14}

Every Gram Panchayat shall continue for a term of five years from the date appointed. A Gram Panchayat, which is functioning immediately before the commencement of this Act shall continue till expiration of its duration. A Gram Panchayat consisted upon the dissolution of the Gram Panchayat before the expiration of a period of six months from the date of dissolution.\textsuperscript{15}

A Gram Panchayat shall meet for the transaction of business at least once in two months at the office of the Gram Panchayat. The Pradhan may also call a meeting is necessary in the public interest. He may also call a meeting upon a written requisition of not less than one-third of the total number of members of the Gram Panchayat and on a date within fifteen days from the receipt of such request call a special meeting the quorum for a meeting of the Gram Panchayat shall be one half of the total number of members of the Gram Panchayat. If there is no such quorum the meeting shall stand adjourned. At such meeting the Pradhan in his absence the Upa-Pradhan shall preside, and in their absence, the members present shall choose from amongst themselves one to preside over the meeting.\textsuperscript{16}

A Gram Panchayat has also its own Secretary who shall be appointed in such manner as may be prescribed and shall draw his salary and allowance from the Gram Panchayat Fund.

Subject to rules as may be prescribed by Government regarding discipline and control, the Secretary shall act in all matters under the control of Gram Panchayat.\textsuperscript{17}

\textbf{Powers and Functions of Gram Sabha:}\textsuperscript{18}

Subject to such conditions as may be specified by the Government from time to time, the Gram Panchayat shall perform the functions specified below:

\begin{flushright}
\textsuperscript{14} Ibid. Section 18 & 21. \\
\textsuperscript{15} Ibid. Section 20. \\
\textsuperscript{16} Ibid. Section 32 & 34. \\
\textsuperscript{17} Ibid. Section 45. \\
\textsuperscript{18} Ibid. Section 35.
\end{flushright}
(1) **General Functions:**

(a) Preparation of annual plans for the development of the Panchayati area;

(b) Preparation of annual budget;

(c) Power for mobilizing relief in natural calamities;

(d) Removal of encroachments on public properties;

(e) Organizing voluntary labor and constitution for community works; and

(f) Maintenance of essential statistics of villages;

(2) **Agriculture, including agriculture Extension:**

(a) Promotion and development of agriculture and horticulture;

(b) Development of waste lands;

(c) Development and maintenance of grazing lands and preventing their unauthorized alienation;

(d) Promote land improvement and soil conservation measures; and

(e) Promote measures for implementation of land reforms and land consolidation.

(3) **Animal Husbandry, Dairying and Poultry:**

(a) Improvement of breed of cattle, poultry and other livestock;

(b) Promotion of dairy farming, poultry and piggery, and

(c) Grassland development.

(4) **Fisheries:**

Development of fisheries in the villages.

(5) **Social and Farm Forestry, Minor Forest Product Fuel and Fodder:**

(a) planting and preservation of trees on the sides of roads and other public lands under its control;

(b) fuel plantations and fodder development;
(c) promotion of farm forestry; and
(d) development of social forestry.

(6) Khadi Village and Cottage Industries:
(a) promotion of rural and cottage industries;
(b) organization of awareness camps, seminars and training
programmes, agricultural and industrial exhibitions for
the benefit of the rural areas; and
(c) identification of traditional skills in the area to develop
small-scale industries and popularizing food-processing
units.

(7) Rural Housing:
(a) implementation of house building programmes and
(b) maintenance of records relating to houses, sites and other
private and public properties.

(8) Drinking Water:
(a) construction, repair and maintenance of drinking water
wells, tanks and ponds;
(b) prevention and control of water pollution, and
(c) maintenance of rural Water Supply Schemes.

(9) Roads, Buildings, Culverts, Bridges, Ferries, Waterways and
Other means or Communication:
(a) Construction and maintenance of village roads, drains
and culverts;
(b) Maintenance of buildings under its control or
transferred to it by the Government or any public
authority; and
(c) Maintenance of bats, ferries and waterways.

(10) Non-Conventional Energy Source:
(a) promotion and development of non-conventional,
energy schemes;
(b) maintenance of community, non-conventional, energy
deVICES, including bio-gas plants; and
(c) propagation of improved chulas and other efficient energy devices.

(11) Poverty Alleviation Programme:
(a) promotion of public awareness and participation poverty alleviation programmes for further employment and creation of productive assets;
(b) selection of beneficiaries under various programmes through Gram Sabha; and
(c) participation in effective implementation and monitoring.

(12) Education including Primary Schools and Secondary Schools:
(a) promotion of public awareness and participation in primary and secondary education with special emphasis on technical training and vocational education; and
(b) ensuring full enrolment and attendance in primary and secondary schools and its management.

(13) Adult and Non-formal Education:
Promotion of Adult literacy.

(14) Libraries:
Village libraries and reading rooms.

(15) Cultural Activities:
Promotion of social and cultural activities.

(16) Markets and Fairs:
Regulation of fairs (including Cattle fairs) and festivals.

(17) Rural Sanitation:
(a) maintenance of general sanitation;
(b) cleaning of public roads, drains, tanks, wells and other public places;
(c) maintenance and regulation of burning and burial grounds;
(d) construction and maintenance of public latrines; and
(e) management and control of washing and bathing ghats.

(18) Public Health and Family Welfare:
(a) implementation of family welfare programmes;
(b) prevention and remedial measures against epidemics;
(c) regulation of sale of meat, fish and other perishable food articles;
(d) participation in programmes of human and animal vaccination;
(e) regulation of eating and entertainment establishments;
(f) destruction of stray dogs;
(g) regulation of curing tanning and dying of skins and hides; and
(h) regulation of offensive and dangerous trades.

(19) Women and Child Development:

(a) participation in the implementation of women and child welfare programmes; and

(b) promotion of school health and nutrition programmes.

(20) Welfare of the Weaker Section and in Particular the Scheduled Castes and Scheduled Tribes:-

(a) participation in the implementation of the social programmes including welfare of the handicapped, mentally retarded and destitute, and

(b) monitoring of the old-age and windows pension schemes;

(21) Welfare of the weaker section and in particular the scheduled Castes and Scheduled Tribes:

(a) promotion of the public awareness with regard to welfare of Scheduled Caste and scheduled tribes and other weaker sections;

(b) participation in the implementation of the specific programmes for the welfare of the weaker sections.

(22) Public Distribution System:

(a) Promotion of the public awareness with regard to the distribution of essential commodities, and

(b) monitoring the public distribution system.

(23) Maintenance of Community Assets:

(a) maintenance of community assets; and
(b) preservation and maintenance of other community asset.

(24) Construction and maintenance of Dharmashalas, chatras and similar institutions;

(25) Construction and maintenance of cattle sheds, ponds and cart stands;

(26) Construction and maintenance of slaughter houses;

(27) Maintenance of public parks, playgrounds;

(28) Regulation of manure pits in public places;

(29) Establishment and control of shandhies;

(30) irrigation water management and watershed development:
   (a) promote measures for construction and maintenance of minor irrigation works and watershed development programmes;
   (b) develop ground water resources;
   (c) providing for timely and equitable distribution of irrigation water;

(31) Rural Electrification Including Distribution of Electricity:
   (a) promote extension of electricity to unelectrified area;
   (b) help in prevention of illegal tapping of electricity, and
   (c) help in the recovery and collection of electricity due.

(32) Such other Functions as may be entrusted.

Assignment of Functions:19

The Government may be notification and subject to such conditions may be specified therein:

(a) transfer to any Gram Panchayat the management and maintenance of a forest situated in the Panchayat areas;

(b) make over to the Gram Panchayat the management of waste lands, pastured lands or vacant lands belonging to the Government situated with the Panchayat area.

19 Ibid. Section 36.
(c) entrust the Gram Panchayat with the collection of land revenue on behalf of the Government and the maintenance of such records as are connected therewith; and

(d) entrust such other functions as may be prescribed, provided that no entrusted under clause (c) shall be made without the concurrence of the Gram Panchayat concerned.

Provided further than when any transfer of the management and maintenance of a forest is made under clause (a) the Government shall direct that any amount required for such management and maintenance or an adequate portion of the income from such forest be placed at the disposal of the gram Panchayat.

General Powers of the Gram Panchayat: 20

A Gram Panchayat shall have powers to do all acts necessary for or incidental to the carrying out, of the functions entrusted, assigned or delegated to it and, in particular, and without prejudice to the foregoing powers to exercise all powers specified under this Act.

Zila Parishad:

The State Government shall constitute a Zila Parishad for a district bearing the name of the District and having jurisdiction over it. Every Zila Parishad shall be a corporate body by the name of its district, having perpetual succession and common seal and subject to such restrictions as are imposed by or under this or any other enactment shall be vested with the capacity of suing or being sued in its corporate name of acquiring, holding and transferring property movable or immovable, whether without or within the limits of the area after which it has authority of entering into contracts and of doing all things, necessary proper or expedient for the purpose for which it is constituted. 21

Composition: 22

A Zila Parishad shall consist of these members:

20 Ibid. Section 37.
21 Ibid. Section 48.
22 Ibid. Section 49.
(a) the members directly elected from the territorial constituencies in the district under Section 50;
(b) the members of the house of the people and the members of the State legislature Assembly representing a part or whole of the district whose constituencies lie within the district; and
(c) ten per cent of the Pradhans of the gram Panchayat in the district

Provided that when the total number of members under clauses (b) and (c) exceed the total numbers under clause (a), only one-third of the members under clause (c) shall be selected on rotation for a period of one year by lot as the Government may decide from time to time and district to district, subject to the condition that a Pradhan who be eligible to become member for a second term during the remainder of his term of office as Pradhan.

Provided further that all members of the Zila Praisad whether elected or not form territorial constituencies in the Zila Prarishad area shall have the right to vote in the meeting of the Zila Parishad except in the election of Adhhyaksha and Upa Adhyaksha.

Seats shall be reversed for

(a) the Scheduled Caste;
(b) the Scheduled Tribes;

In every Zila Parishad and the number of seats shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Zila Parishad as the population of the Scheduled Castes in that Zila Parishad area or of the Scheduled Tribes in that Zila Parishad area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Zila Paarishad in such manner as may be prescribed.

Not less than one-third of the total number of seats reserved under sub-section (1) shall be reserved for women belonging to the Scheduled Castes or as the case may be the Scheduled Tribes.

Not less than one-third (including) the number of seats reserved for women belonging to Scheduled Castes in every Zila Parishad shall be
reserved for women and such seats they may be allotted by rotation to different constituencies in a Zila Parishad in such manner as may be prescribed. Every Zila Parishad shall hold meeting at last once in every three months.\textsuperscript{23}

Every Zila Parishad shall continue for five years from the date of its first meeting.\textsuperscript{24}

A Zila Parishad shall have a Adhyaksha and Upa Adhyaksha who shall be elected from amongst its members.\textsuperscript{25} The Adhyaksha shall convene, preside over and conduct meetings of the Zilla Parishad. He shall also exercise administrative, supervision and control over the Chief Executive Officer and through him, all officers and other employees whose services may be placed at the Zila Parishad by the State Government. In the absence of the Adhyaksha the Upa Adhyaksha shall exercise the powers and perform such duties of the Adhyaksha.\textsuperscript{26}

**Powers and Functions of Zila Parishad:**\textsuperscript{27}

A Zila Parishad shall have the following powers and functions:

1. **Agriculture and Agricultural extension:**
   
   Promotion of measures to increase agricultural production and to popularize the use of improved agricultural implements and the adoption of improved agricultural practices;
   
   (i) establishment and maintenance of godowns;
   
   (ii) conducting agricultural fairs and exhibitions;
   
   (iii) training of farmers;
   
   (iv) land improvement and soil conservation; and
   
   (v) promotion of agricultural extension works.

2. **Irrigation, Ground Water Resources and Watershed development:**

   (i) construction, renovation and maintenance of minor irrigation works and lift irrigation;

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\textsuperscript{23} Ibid. Section 52 & 59.
\textsuperscript{24} Ibid. Section 53.
\textsuperscript{25} Ibid. Section 54.
\textsuperscript{26} Ibid. Section 56
\textsuperscript{27} Ibid. Section 61
(ii) providing for the timely and equitable distribution and full use of water under irrigation schemes under the control of the Zila Parishad;

(iii) development of ground water resources;

(iv) installation of community pump sets; and watershed development programme;

5. **Horticulture:**

(i) promotion of rural parks and gardens;

(ii) promotion of cultivation of fruits and vegetables and

(iii) promotion of farms.

4. **Statistics:**

(i) publication of statistical and other information relating to activities of Gram Panchayats and Zila Parishads.

(ii) Co-ordination and use of statistics and other information required for the activities of the gram Panchayats and Zila Parishads; and

(iii) Periodical supervision and evaluation of project and programmes entrusted to the Gram Panchayats and Zilla Parishads.

5. **Distribution of Essential Commodities:**

6. **Soil conservation and Land Reforms:**

(i) soil conservation measures;

(ii) land reclamation and land development works; and

(iii) promote implementation of land reforms and land consolidation.

7. **Marketing:**

(i) development of regulated markets and marketing yards; and

(ii) grading and quality control of agricultural products.

8. **Social Forestry:**

(i) organize campaign for tree-planting; and

(ii) planting and maintenance of trees.
9. **Animal Husbandry and dairying:**
   (i) improvement of breed of cows and pigs;
   (ii) promotion of poultry farms, ducks farms and goat farms;
   (iii) promotion of fodder development programmes;
   (iv) promotion of dairy farming, poultry and piggery; and
   (v) prevention of epidemics and contagious diseases.

10. **Minor Forest Products, Fuel and Fodder:**
    (i) promotion of social and farm forestry, fuel plantation and fodder development;
    (ii) management of minor forest products of the forest raised in community lands; and
    (iii) development of wasteland.

11. **Fisheries:**
    (i) promotion of fish seed production and distribution;
    (ii) development of pisciculture in private and community tanks;
    (iii) development of inland fisheries;
    (iv) promotion of fish curing and drying;
    (v) assistance to traditional fishing;
    (vi) organising fish marketing co-operatives; and
    (vii) welfare schemes for the uplift and development of fisherman.

12. **Household Industries (including Food Processing):**
    (i) identification of traditional skills in the locality and promotion of household industries;
    (ii) organisation of training programme for craftsmen and artisan;
    (iii) liaison to tap back credit for household industries;
    (iv) popularising and marketing of finished products; and
    (v) organising khadi, handloom, handicraft and village and cottage industries.

13. **Rural Roads and Inland Waterways:**
(i) construction and maintenance of roads other than National State Highways and District road;
(ii) bridges and culverts coming under roads falling in item (i);
(iii) construction and maintenance of office buildings of the Zila Parishads;
(iv) identification of major link roads connecting markets, educational institutions, health centres; and
(v) organizing voluntary surrendering of land for new roads and for widening of existing roads.

14. Health and Hygiene:

(i) implementation of immunization and vaccination programme;
(ii) health education activities in hospitals, primary health centres and dispensaries;
(iii) maternity and child health service activities;
(iv) family welfare activities;
(v) organizing health camps with Gram Panchayats; and
(vi) measures against environmental pollution.

15. Rural Housing:

(i) identification of houseless families;
(ii) implementation of house building programmes in the district; and
(iii) popularizing low cost housing.

16. Education:

(i) promotion of educational activities including the establishment and maintenance of primary and secondary schools;
(ii) planning of programmes for Adult Education and Library facilities;
(iii) propagation of technical training and vocational education; and
(iv) extension work for propagation of Science and Technology to rural areas.

17. Social Welfare and Welfare of Weaker Sections and Handicapped Persons:
(i) promotion of social welfare programme and social welfare activities with emphasis on handicapped and mentally retarded persons;

(ii) organizing nursery schools, balwadies, night schools and libraries to eradicate illiteracy and impart general education; and

(iii) organizing co-operative societies of Scheduled Castes and Scheduled Tribes.

18. Poverty Alleviation Programmes:
Planning, supervision, monitoring and implementation of poverty alleviation programmes.

19. Drinking Water:
(i) construction, repair and maintenance of drinking water wells, tanks and ponds;

(ii) prevention and control of water pollution.

20. Non-conventional Energy Sources:
(i) promotion extension of electricity to un-electrified areas;
(ii) help in the prevention of illegal tapping of electricity; and
(iii) help in the recovery and collection of electricity dues.

21. Non-conventional Energy Sources:
(i) promotion and development of non-conventional energy scheme; and

(ii) propagation of efficient energy devices.

22. Social Reform Activities:
(i) promotion of women's organization and welfare;
(ii) promotion of children's organization and welfare;
(iii) organize cultural and recreation activities;
(iv) encouragement of games and sports and construction of rural stadia;
(v) promotion of thrift and saving through:
   a. promotion of saving habits;
b. small saving campaign;
c. fight against spurious money lending practices and rural indebtedness.

In addition, the Zila Parishad may:
a. manage or maintain any work of public utility or any institution vested in it or under its control and management;
b. acquire and maintain village hats and markets;
c. make grants to gram Panchayats;
d. adopt measures for the relief of people in distress;
e. co-ordinate and integrate the development plans and schemes prepared by Gram Panchayats in the district;
f. examine and sanction the budget estimates of Gram Panchayat in the district;
g. undertake or execute any scheme extending to the whole or part of the district; and
h. take over the maintenance and control of any rural bridge, rank, ghat, well, channel or drain belonging to a private owner or any other authority on such terms as may be agreed upon.

The Zila Paishad of two or more adjacent districts may jointly undertake and execute any development scheme on such terms and conditions as may be mutually agreed upon;

Provided that Government may be notification and subject to such conditions as it may impose, transfer additional functions to the Zila Parishad.

**General Powers of Zila Parishad:**

Subject to the general or special orders of the Government, the Zila Parishad may:

(a) incur expenditure on education or medical relief outside its jurisdiction:

(b) provide for carrying out any work or measure likely to promote health, safety, education, comfort, convenience or

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28 Ibid. Section 62
social or economic or cultural well-being of the inhabitants of the district.

(c) Contribute to association of All-India State or Inter-State level concerned with the promotion of local government and for holding exhibition, seminar and conferences within the district related activities of Gram Panchayat and Zila Parishad; and

(d) Render financial or other assistance to any person for carrying in the district any activity, which is related to any of its functions.

The Zila Parishad shall have powers to do all acts necessary for or incidental to the carrying out of the functions entrusted or delegated to of and in particular and without prejudice to the foregoing powers to exercise all powers specified under this act.

Assignment of Functions:29

The Government may assign to Zila Parishad, functions in relation to any matters to which the executive authority of the Government extends or in respect of functions, which have been assigned to the State Government by the Central Government.

Power to Acquire, Hold and Dispose of Property:30

A Zila Parishad shall have the power to acquire, hold and dispose of property and to enter into contract. Provided that in all cases of acquisition or disposal of immovable property, the Zila Parishad shall obtain the previous approval of the Government.

All roads, buildings or other works constructed by a Zila Parishad with its own funds shall vest in it.

The Government, may allocate to a Zila Parishad any public property situated within its jurisdiction, and there upon such property shall vest in the Zila Parishad.

Where a Zila Parishad requires land to carry out any of the purpose of this Act, it may negotiate with the person or persons having interest in the said land, and if it fails to reach an agreement, it may make an application to

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29 Ibid. Section 63.
30 Ibid. Section 68.
the Deputy Commissioner for the acquisition of the land and the Deputy Commissioner may if he is satisfied that the land is required for a public purpose, take steps to acquire the land under the provisions of the Land Acquisition Act, 1894 and such land shall on acquisition, vest in the Zila Parishad.

Zila Parishad Fund: 31

For every Zila Parishad, there shall be constituted a Zila Parishad Fund bearing the name of the Zila Parishad and there shall be placed to the credit thereof:

(a) contribution and grants, if any, made by the Central or the State Government including such part of land revenue collected in the State as may be determined by the Government;

(b) contribution and grants, if any, made by the Gram Panchayat or any other local authority;

(c) loans if any granted by the Central or State Government or raised by the Zila Parishad on security of its assets;

(d) the proceeds of road-cess and public work-cess levied in the district;

(e) all receipts on account of tolls and fees levied by the Zila Parishad;

(f) all receipts in respect of any schools, hospitals, dispensaries, buildings institutions or works, vested in constructed by or placed under the control and management to the Zila Parishad;

(g) all sums received as gift or contribution and all income from any trust or endowment made in favour of Zila Parishad;

(h) such fines or penalties imposed and realized under the provision of this Act or of the bye-laws made there under, as may be prescribed; and

(i) all other sums received by or on behalf of the Zila Parishad.

Every Zila Parishad shall set apart and apply annually. Such sum as may be required to meet the cost of its own administration including officers and employees. The overall expenditure on establishment shall not exceed one-third of the total expenditure.

31 Ibid. Section 69.
Every Zila Parishad shall have the power to spend such sums as it thinks fit for carrying out the purpose of this Act.

The Zila Parishad Fund shall be vested in the Zila Parishad and the amount standing to the credit of the fund be kept in such custody or invested in such a manner as the Government may, from time to time, direct. Subject to such maximum rates as the Government prescribe, a Zila Parishad may:

(a) levy tolls on person, vehicles or animals or any class of them at any toll-bar established by it on any road other than Kutch road or any bridge vested in it or under its management;
(b) levy tolls in respect of any ferry established by it or under its management;
(c) levy road cess and public work cess;
(d) levy the following fees and rates, namely;
   i) fees on the registration of boats or vehicles;
   ii) a fee providing sanitary facilities at such place or pilgrimage, fairs and melas within its jurisdiction, as may be specified by the Government by notification;
   iii) a fee for licence for fair or mela;
   iv) a lighting rate where arrangement for lighting of public streets and places is made by the Zila Parishad within its jurisdiction; and
   v) water rate where arrangement for the supply of water for drinking, irrigation or any other purpose is made by the Zila Parishad within its jurisdiction.

The Zila Parishad shall not undertake registration of any vehicle or levy fees thereof and shall not provide sanitary arrangement of places of worship or pilgrimage, fairs and melas within its jurisdiction or levy fee thereof if such vehicle has already been registered by any other authority under any law for the time being in force or if such provision for sanitary arrangement has already been made by any other local authority.

The scales of tolls, fees or rates and the terms and conditions for the imposition thereof shall be such as may be provided by regulation. Such regulation may provide for exemption from all or any of the tolls, fees or rates in any class of cases.

\[12\] Ibid Section 70.
A Zila Parishad may, subject to the provisions of any law relating to the raising of loans by local authorities for the time being in force, raise from time to time, with the approval of the Government, loans for the purpose of the Act and create a sinking fund for the repayment of such loans.

Notwithstanding any thing contained in sub-section (1), a Zila Parishad may borrow money from the Government or with previous sanction of the Government, from banks or other financial institutions for furtherance of its objective on the basis of specific schemes as may be drawn up by the Zila Parishad for the purpose.\(^{33}\)

Every Zila Parishad shall prepare in each year a budget of its estimated receipts and disbursements for the following year and submit it to the Government.

The Government may, within such time as may be prescribed either approve the budget or return it to the Zila Parishad for such modifications as it may direct. On such modifications being made the budget shall be resubmitted within such time as may be prescribed for approval of the Government. If the approval of the Government is not received by the Zila Parishad by the last date of the financial year, the budget shall be deemed to be approved by the Government.

No expenditure shall be incurred unless the budget is approved by the Government.

The Zila Parishad may prepare in each year a supplementary estimate providing for any modification of its budget and may submit it to the Government for approval within such time and in such manner as may be prescribed.\(^{34}\)

A Zila Parishad shall keep accounts in such manner as may be prescribed.\(^{35}\)

The audit of the accounts of the Zila Parishad shall be carried out by the authority as may be prescribed by the Government and a copy of the audit note shall be forwarded to the Zila Parishad within one month of the completion of the audit.

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\(^{33}\) Ibid. Section 71.
\(^{34}\) Ibid. Section 72.
\(^{35}\) Ibid. Section 73.
On receipt of the audit report referred to in Sub-section (i), the Zila Parishad shall either remedy any defects or irregularities which have been pointed out in the audit and send to the government within three months an intimation of its having done so or shall within the said period supply any further explanation to the prescribed authority in regard to such defects or irregularities as it is required to furnish.\textsuperscript{36}

**Staff of Zila Parishad:**\textsuperscript{37}

An officer for the rank of the Deputy Commissioner shall be the Chief Executive Officer of the Zila Parishad who shall be appointed by the Government. The Government may also appoint an Additional Chief Executive Officer for a Zila Parishad on such terms and conditions as may be prescribed.

The Government shall also appoint a Chief Account Officer and a Chief Planning Officer for each Zila Parishad on such terms and conditions as may be prescribed.

The Government shall post from time to time in every Zila Parishad such number of officers of Group AB and C services of the State (including any officers appointed to such services from amongst person employed by the existing local authority) All India Service allocated to serve under the Government, as the Government considers necessary.

Notwithstanding anything contained in this Act or any other law for the time being in force the Government or any other officer or other authority authorized by it in this behalf shall have the power to effect transfer of the officers and officials are posted from one district to another district.

The Government may constitute from such date as is specified such services for each Zila Parishad as may be prescribed.

**Functions of Chief Executive Officer and other Officers:**\textsuperscript{38}

Save as otherwise expressly provided by or under this Act, the Chief Executive Officer shall:

\textsuperscript{36} Ibid. Section 74.
\textsuperscript{37} Ibid. Section 75.
\textsuperscript{38} Ibid. Section 4, 76 & 77.
(a). Carry out the policies and directions of the Zila Parishad and take necessary measures for the speedy execution of all works and developmental schemes of Zila Parishad;

(b). Discharge the duties imposed upon him by or under this Act or the rules and regulations made there under;

(c). Control the officers and servants of the Zila Parishad subject to the general superintendence and control of the Zila Adhyaksha and under such rules as may be prescribed:

(d). Have custody of all papers and documents relating to Zila Parishad; and

(e). Draw and distribute money out of the Zilla Parishad funds and exercise such other power and perform such other functions may be prescribed.

The chief executive officer shall attend every meeting of the Zila Parishad and may take part in the discussion but shall not have the right to move any resolution or to vote, if in the opinion of the Chief Executive Officer any proposed before the Zila Parishad is violated of or is inconsistent with the provisions of this Act or any other law or the rules made there under, it shall be his duty to bring the same to the notice of the Zila Parishad.

The Chief Accounts Officer shall advise the Zila Parishad matters of financial policy and shall be responsible for all matters relating to the accounts be responsible for all matters relating to the accounts of the Zila Parishad including preparation of accounting the budget.

The Chief Accounts Officer shall ensure that no expenditure is incurred except under proper sanction and in accordance with this Act and the rules and regulations made there under and shall disallows any expenditure not warranted by the act or rules and regulations or for which no provision is made in the budget.

The Additional Chief Executive Officer shall assist the Chief Executive Officer in the performance of his duties.

The Chief Planning Officer shall advise the Zila Parishad in matters of plan formulation and shall be responsible for all matters relating to planning
of the Zila Parishad including the preparation of plans of economic
development and social justice and annual plan of the district.

Every person in possession of money, accounts, records or other
property pertaining to a Gram Panchayat or Zila Parishad shall on the
regulation in writing of the Chief Executive Officer for this purpose, other
property to the Chief Executive Officer or the person authorized in the
requisition to receive the same.

The Chief Executive Officer may also take steps to recover any
money due by such persons in the same manner and subject to the same
provisions as in the relevant Land Revenue Act, for the recovery of the
arrears of land revenue from defaulters and for the purpose of requisitioning
the accounts, records or for recovering any other property appertaining to the
Gram Panchayat or Zila Parishad may issue a search warrant and exercise
all such powers with respect there to as may lawfully be exercised by a
magistrate under the provisions of Chapter VII of the Code of Criminal

Every person knowing where any money, accounts, records, or other
property appertaining to a Gram Panchayat or a Zila Parishad are concealed
shall be bound to give information of the same to the Chief Executive
Officer.

An appeal shall be from an order of the Executive Officer under this
sanction to the Government.

THE MANIPUR PANCHAYATI RAJ (AMENDMENT) ACT, 1995
(MANIPUR ACT NO. 5 OF 1995)

AN ACT TO AMEND THE MANIPUR PANCHAYATI RAJ ACT,
1994 (NO. 20 OF 1994)

Be it enacted by the Legislature of Manipur in the Forty-Seven year
of the Republic of India as follows:39

1. Short title Commencement:-

39 Government of Manipur Secretariat: Law and Legislative affairs department,
(1) This Act may be called the Manipur Panchayati Raj (Amendment) Act, 1996.

(2) It shall be deemed to come into force with effect from 17th day of September, 1996.

2. Amendment of Section-3:

In Section-3 of the Manipur Panchayati Raj Act, 1994 (here in after referred to as the Act).

Sub-Section (i) shall be re-numbered as (1-A) and the following new sub-section (1-B) ad (1-C) shall be inserted namely,

“(1-B) The State Government shall, by notification in the official Gazette, establish a Gram Sabha for a village or a group of adjoining villages having population of not less than three thousand and not more than six thousand subject to such variation not being larger than two thousand, as may be necessary on consideration of the local situation”. After Sub-Section (2), the following new Sub-Section (3) shall be inserted namely,

“(3) Every member of the gram Sabha unless disqualified under this Act or any other law for the time being in force, be qualified to vote at the election of the members of a gram Saha and also at the election of the directly elected members of the Zila Parishad constituency in the area of which the gram Sabha lies.”

3. Amendment of Section-7:

After Sub-Section (2) of Section-7 of the act, the following proviso shall be inserted, namely,

“Provided that no quorum shall be necessary for a meeting adjourned for want of quorum, for the second time.”

4. Amendment of Section-17:

In Section-17 of the Act, for the figure “350”, the figure “600” shall be substituted.

5. Amendment of Section-18:

In Sub-Section (1) of Section 18 of the Act:
(a) For clause (i) the following shall be substituted namely, "(a) Divide the area of the gram Sabha into territorial constituencies"

(b) Clause (ii) shall be deleted.

6. Amendment of Section-22:

In Section 22 of the Act

(a) Sub-Clause (ii) of clause (b) of sub-section (1) shall be deleted;

(b) In sub-section(2) the words "or an Administrator" shall be deleted;

(c) In Sub-Section (3) for the words "cease", the word "continue" shall be substituted and the words "or an Administrator" and "or Administrator, as the case may be" shall be deleted;

(d) In Sub-Section (4), the words "or Administrator", "or the Administrator" and "or" the Administrator, as the case may be shall be deleted;

(e) Sub-Section (4), the following sub-section (5) shall be inserted namely,

"(5) Notwithstanding anything contained in the Act, if the State Government is satisfied that the first elections to Gram Panchayats after the commencement of this Act cannot be held, the State Government may appoint Administrative committees to exercise the powers and to perform the duties and functions of the Gram Panchayats for a period not exceeding six moths."

7. Amendment of Section 25:

In Section 25 of the Act:

(a) For clause (i) the following shall be substituted, namely,

"(i) such number of offices of Pradhan of Gram Panchayat in the District for Scheduled Castes and Scheduled Tribes and number of offices so reserved shall bear as nearly as may be the same proportion to the total number of offices in the district as the population of the Scheduled Castes and Scheduled Tribes in the district bears to the total population of that district."
(b) In Clause (ii) the words “and Upa Pradhan, as the case may be,” shall be deleted.

8. Amendment of Section 30:

For Sub-Section (i) of Section 30 of the Act, the following shall be substituted namely,

“(i)(a) Every Pradhan shall be deemed to have vacated forthwith if the resolution expressing want of confidence in him is passed by a majority of not less than two-third of the members of the Gram Sabha present and voting at the meeting specially convened for the purpose. The requisition for such a special meeting shall be signed by not less than half of the total number of members of the gram Sabha then on the roll and shall be delivered to the prescribed authority. The prescribed authority shall, within seven days from the date of receipt of requisitions, convene a special meeting of the gram Sabha. The meeting shall be held by issuing ten clear days notice. The meeting shall be presided over by the prescribed authority or an official nominated by him for the purpose.

(b) Every Upa Pradhan shall be deemed to have vacated his office forthwith if a resolution expressing want of confidence in him is passed by a majority of not less than two-thirds of the members of the gram Panchayat present and voting at a meeting specially convened for the purpose. The requisitions of such a special meeting shall be signed by not less than half of the total number of members of the Gram Panchayat then on the roll and shall be delivered to the prescribed authority. The prescribed authority shall, within seven days from the date of receipt of the requisition, convene a special meeting of the Gram Panchayat. The meeting shall be held by issuing seven days clear notice. The meeting shall be presided over by an official nominated by him for the purpose.

(c) No motion of no confidence under clause (a) or (b) shall be moved against the Pradhan or the Upa Pradhan in the initial two years on their respective terms. If the motion of no-confidence is once rejected, no fresh motion of no-confidence shall be brought within a period of one year from the date of such rejection of the motion.”

9. Substitution of Section 35:

For Section 35 the following shall be substituted, namely, “35 the Gram Panchayat shall perform such functions which may be lie within their
competence and jurisdiction to be specified by the Government, in respect of items enumerated in the Eleventh Schedule of the Constitution of India. The functions specified by the Government shall be published in the Official Gazette."

10. **Amendment of Section 39:**

In Clause (a) of Sub-Section (2) of Section 38 of the Act, for the sentence “The Pradhan shall be the ex-officio member and Chairman of the Social Justice Committee”, the sentence “The Upa-Pradhan shall be the ex-officio member and Chairman of the Social Justice Committee”, shall be substituted.

11. **Amendment of Section 49:**

For the section provision to section 49 the following shall be substituted, namely,

“Provided further that all the members of Zila Parishad whether elected or not from territorial constituencies in the Zila Parishad area shall have the right to vote in the meeting of the Zila Parishad except in the election of Adhyaksha and Upa Adhyaksha, in the case of which only the elected members shall have the right to vote.”

12. **Amendment of Section 50:**

In Section 50 of the Act:

In Sub-Section (i), for the figure “15,000”, the figure “18,000” shall be substituted:

For clauses (a) and (b) of Sub-section (2) the following shall be substituted, namely,

“(a) divide the area of Zila Parishad into territorial constituencies;

(b) each constituency shall elect one member by direct election to the Zila Parishad.”

13. **Amendment of Section 52:**

In Sub-Section(i) of Section 52 of the Act for the words “Seats shall bear”, the words “seats so-reserved shall bear” shall be substituted.

14. **Amendment of Section 54:**
For Clause (a) and (b) of Sub-Section (2) of Section 54 of the Act, the following shall be substituted, namely,

"(a) Such number of offices of the Adhyaksha of Zila Parishad in the State for persons belonging to the Scheduled Castes and Scheduled Tribes and the numbers of offices so reserved shall bear as nearly as may be, the same proposition to the total number of offices of Adhyaksha in the Zila Parishad as the population of the Scheduled Castes or Scheduled Tribes in the Zila Parishad areas in the State bears to the total population of the Zila Parishad areas in the State;

(b) not less than one-third of the total number of offices of the Adhyaksha for women,"

15. Amendment of Section 57:

In Sub-Section (4) of Section 57 of the act, for the Words "one-fifth", the words "one-half" shall be substituted.

16. Amendment of Section 61:

For Section 61 of the act, the following shall be substituted namely,

"61. The Zila Parishad shall perform such functions with such powers and authority as may be specified there by the State Government in the official Gazette in respect of items enumerated in the Eleventh Schedule of the Constitution of India."

17. Amendment of Section 65:

In Sub-Section (4) of Section 65 of the Act, the word "not" shall be deleted.

18. Amendment of Section 76:

After Sub-Section (2) of Section 76 of the Act, the following new sub-section (2-a) shall be inserted namely,

"(2-a) The Chief Executive Officer shall also be the ex-officio Secretary of the Zila Parishad."

19. Amendment of Section 96:

For Sub-Section (5) of Section 96 of the act, the following shall be substituted, namely,

(5) The Adhyaksha of the Zila Parishad shall be the Chairman of the District Planning Committee."
20. Amendment of Section 100:

In Section 100 of the Act, after the words "of the gram Panchayat", the words "or Zila Parishad" shall be inserted.

THE MANIPUR PANCHAYATI RAJ (SECOND AMENDMENT) ACT, 1997

An Act further to amend the Manipur Panchayati Raj Act, 1994. Be it enacted by the Legislature of Manipur in the Forty-Eight year of the Republic of India as follows:

1. Short title and Commencement:
   (1) This Act may be called the Manipur Panchayati Raj (Second Amendment) Act, 1997.
   (2) It shall be deemed to have come into force on the 18th day of June, 1997.

2. Substitution of Section 82:

for Section 82 of the Manipur Panchayati Raj Act, 1994, the following shall be substituted, namely,

"82. Powers of Government to reconstitute Gram Panchayat and Zila Parishad in case of alteration of area,

(1) When an account of the region that the territorial limits of an area of Gram Panchayat or Zila Parishad are altered or on the separation of the limits of an area of a district, the Government shall be notification in the Official Gazette, reconstitute the Gram Panchayat and Zila Parishad into such number of Gram Panchayat and Zila Parishad Constitutions under the provision of this Act.

(2) The sitting members of the gram Panchayat and Zila Parishad constituencies in the State of Manipur shall not withstanding the alteration in the extent of the constituencies by virtue of the notification under Sub-Section(i) continue to be members of the Gram Panchayat or Zila Parishad and be deemed to

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have been respectively elected to the said Gram Panchayat or Zila Parishad constituencies as so altered.

(3) The sitting Adhyaksha and Upa Adhyaksha of a Zila Parishad shall continue to hold their respective offices for the remaining period of the term of the reconstituted Zila Parishad under.

(4) Subject to the provisions contained in Section 54, the sitting members of a reconstituted Zila Parishad shall elect; two members from among themselves to be Adhyaksha and Upa Adhyaksha thereof, in case there is no sitting Adhyaksha or Upa Adhyaksha in a reconstituted Zila Parishad, and for such election the Deputy Commissioner of the district shall convene a meeting of the sitting members of the reconstituted Zila Parishad on a date specified by him as soon as may be, after the notification in Sub-Section(i).

(5) When a Gram Panchayat or Zila Parishad has been reconstituted under this section so much of the Gram Panchayat or Zila Parishad fund and other property vesting in the Gram Panchayat or Zila Parishad immediately before, reconstitution shall vest in and such portion of the debts, and obligations shall be transferred to, the Gram Panchayat, or Zila Parishad reconstituted under this section as the Government may direct by an order made in writing.

(6) The rights and liabilities of the Gram Panchayat or Zila Parishad immediately before the reconstitution, in respect of civil and criminal proceedings, contract, agreements and other matters of things arising in and relating to any part of the area subject to the authority of the Gram Panchayat or Zila Parishad.

(7) Any appointment, notification, notice tax, order, scheme, licence, permission, rule, regulation or form made issued, imposed or granted by the Gram Panchayat or Zila Parishad which has been reconstituted in respect of any part of the area subject to the authority of the Gram Panchayat or Zila Parishad which has been reconstituted shall be deemed to
have been made, issued, imposed or granted by such Gram Panchayat or Zila Parishad unless and until it is suspended by any notification, appointment, notice form, order, scheme, licence, permission, rule and regulation made, issued imposed or granted by such "Gram Panchayat or Zila Parishad."

Explanations: In this section, "Sitting member" sitting Adhyaksha or Upa Adhyaksha in relation to a Gram Panchayat, as the case may be, means a person who immediately before the reconstitution of Gram Panchayat or Zila Parishad under sub-Section (i) is elected member of that Gram Panchayat or Zila Parishad and Adhyaksha or Upa Adhyaksha of that Zila Parishad.

THE MANIPUR PANCHAYATI RAJ (THIRD AMENDMENT) ACT, 1998 (MANIPUR ACT NO.5 OF 1998)

AN ACT FURTHER TO AMEND THE MANIPUR PANCHAYATI RAJ ACT, 1994(NO. 26 OF 1994)

Be it enacted by the Legislature of Manipur in the forty-ninth years of the Republic of India as follows:41

1. Short title and commencement:
   (1) This Act may be called the Manipur Panchayati Raj ("Third Amendment) Act, 1998.
   (2) It shall come into force from the date of its publication in the Official Gazette.

   (a) In Sub-Section(4):
      (i) For the words, "one-half", the words "one-third" shall be substituted;
      (ii) The last sentence "In the initial two years of their term as Adhyaksha or Upa Adhyaksha, as the case may be, of"

Zila Parishad, no motion of no-confidence shall be brought against them, shall be deleted.

(b) In sub-Section (5), for the words "one-rejected" and "rejection", the words "defeated" and "defeat" respectively shall be substituted.

No.9/13/95 Dev(P)Pt. II: In exercise of the powers conferred under Section 35 and 61 of the Manipur Panchayati Raj Act, 1994 as amended from time to time, the Governor of Manipur is pleased to order the devolution of powers to the Panchayati Raj Institutions (PRIs) in Manipur to enable them to function as vibrant institutions of Self-Government as also implement and supervise schemes for economic development and social justice in Manipur as follows:42

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Department</th>
<th>Powers and functions transferred to Panchayati Raj Institutions (PRI)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Transport</td>
<td>Maintenance of Bus Stands and Terminus.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(ii) Collection of Bus Parking fees subject to framing of Rules by the Transport Dept.</td>
</tr>
<tr>
<td>2.</td>
<td>Fisheries</td>
<td>(i) Promotion of Individual Pisciculture Scheme such as paddy-cum-pisciculture /pond culture etc.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(ii) Procurement and supply of L.M.C./Exotic carps to pisciculturist at Govt. subsidized rates.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(iii) Procurement and supply of feeds/fishing equipments to the progressive fish farmers by the Dept. through Panchayats.</td>
</tr>
</tbody>
</table>

3. Science & Technology
   (a) Establishment of non-conventional energy sources such as biogas plan, solar cooking plants.
   (b) Procurement and supply of solar lamps.
   (c) Introduction of smokeless chullas/improved portable chullas.

4. Food and Civil Supplies
   (i) Associating/ coordinating with the concerned department in identification selection of rationing agents and also supervise proper distribution of food grains in the Zila Parishad areas.
   (ii) Constitution of Vigilance Committees.
   (iii) Promotion of Public Awareness through the Zila Parishad by providing funds under the Plan Head.

5. Industries
   (a) Establishment of Cottage Industries benefiting rural artisans and development of entrepreneurs in service sectors.
   (b) Arranging collaborative support from other organization like KVIC, KVIB and other industrial organization.

6. Vety. & A.H.
   (i) Selection of beneficiaries for providing subsidy in kind in respect of:
      (a) Cross-breed female craft rearing and
      (b) Improved piglet rearing in the Gram Panchayat areas.
   (ii) Pasture Development (Common Grazing Ground) and also fodder mini-kit programme with supply of seeds free of cost from the Vety. & A.H. Department.
7. Power

(iii) Construction and maintenance of slaughter-houses whatever required will be entrusted to the respective Gram Panchayat.

Help in the recovery and collection of electricity charges on commission basis subject to framing of Laws.

8. Agriculture

(a) Distribution of improved agricultural tools and implements and other inputs to farmers.

(b) Distribution of improved/high yielding seeds to the farmers.

(c) Promotion of measures to increase agricultural production/activities in the Zila Parishad area.

9. Horticulture

(i) Selection of beneficiaries may be done through Panchayats in respect of:

(a) Expansion Programme;

(b) Demonstration Programme;

(c) Expansion of Pineapple by adopting improved practices.

(ii) Selection of Site/ beneficiaries may be made through Panchayats for;

(a) Assistance o small & marginal farmers in the construction of small engineering structures and land leveling.

(b) Construction water harvesting structure.

10. Tribal Development

(a) Selection beneficiaries for Family oriented Schemes like Animal Husbandry, Fishery, Agriculture, Industry etc. may be done by the Panchayats.

Welfare of Weaker

Section (ST & ST)
11. Co-operatives

(b) Selection of works under Community Scheme like construction of village approach roads, community Hal, Schools Buildings etc. may be done by the Zila Parishads.

Assistance by Gram Panchayats during Intensive Group Loan Recover Programme.

12. PHED

(i) Repair and maintenances of drinking water wells, tank and pond.

(ii) Prevention & control of water pollutions.

(iii) Maintenance of selected rural water supply schemes including hand pumps.

(iv) Collection of water charges subject to framing of rules by the Administrative Deptt.

(v) Conservation & protection water source including protection of catchments area.

(vi) Rural sanitation which includes maintenance of general sanitation clearing of public drain tanks, well management of washing and bathing ghats.

13. Irrigation ;and Flood Control

(i) Collection of water charges on commission basis subject to framing of Rules by the Administrative Department.

(ii) Implementation of emergency flood control works costing less than Rs.20,000/-
14. Public Works
   (i) Maintenance of Inter Village roads including minor bridges and culverts.
   (ii) Proving of ferry services.
   (iii) Construction of Inter Gram Panchayat Roads.

15. Minor Irrigation
   (a) Maintenance of M.A. Channel, ponds/tanks and wells for benefiting SF/MF.
   (b) Exploitation of ground water for irrigation purpose.
   (c) Collection of Water Taxes subject to framing of Laws.

16. Forest
   (a) Plantation of trees at village/Panchayat fields and roads sides.
   (b) Protection of village grazing ground and plantation of fuel and fodder at village waste lands.
   (c) Cultivation and regeneration of minor forest produce (MFP) species like tejpatta, Deaihini, Betel Leaf, Mikruk, Sandal Wood, etc.

17. Rural Developing
   Planning, formulation of work programme shift of projects, implementation and supervision & monitoring to ensure proper implementation of the programme relating to the following works.

   (i) (a) IRDP
       (b) JRY
       (c) IAY
       (d) DWCRA
       (e) TRYSEM
       (e) Millions Wells.
(ii) Community Development Programme for implementation of Centrally sponsored programme shown under item/ above is to be made adhering to guidelines issued by the Govt. of India from time to time.

18

(i) Organization of Adult Education/ Non-formal education centres.
(ii) Repair & maintenance of Primary School Building.
(iii) Establishment and maintenance of Rural Libraries under Raja Ram Mohan Roy & Rajiv Gandhi Foundation.
(iv) Establishment and maintenance of Primary School etc. shall be examined by the Cabinet Sub-Committee already for devolution of power to District Councils.

19. Art & Culture

Organisation of cultural activities/ programme.

20. Market & Fair

(a) Identification of suitable marketing sites.
(b) Establishment and maintenance of rural markets.

21. Medical

(a) Maintenance of buildings of PHSC & Dispensaries.
(b) Organization of training camps on health and sanitation programme.
(c) Implementation of Family Welfare Schemes.

22. Social Welfare

(a) Associating Zila Parishad in the selection of Anganwadi Centres.
(b) Implementation of NSAP except Old Age Pension Scheme.
(c) Prevention of drug abuse.

(d) Implementation of BSY (Balika Samridhi Yojana).

The Scheme will be implemented/ supervised/ monitored as per guidelines issued by the Central Government and the State Government as the case may be.

This shall come into force with immediate effect within the area which is covered by the Manipur Panchayati Raj Act, 1994 (as amended in the year 1996). The concerned Departments shall issue suitable detailed instructions in this regard immediately and take steps for training of elected representatives for supervision, monitoring and implementation of the schemes/ programmes.

No.9/13/95 - Dev(P)pt. (iii)(A); dt. 29.6.99.

The Governor of Manipur, in exercise of powers conferred under section 35 and 61 of the Manipur Panchayati Raj Act, 1994 as amended from time to time is pleased to order the devolution of powers to the Panchayati Raj Institutions (PRIs) in Manipur to enable them to function as vibrant institutions of Self Government as also employment and supervise scheme for economic development and social justice in Manipur as follows:

1. Transport

Particulars of Items:

(i) Maintenance of Bus Stands and Terminus;

(ii) Collection of Bus-Parking fees subject to framing of Rules by the transport Dept.

Powers & Functions of Zila Parishad:

Maintenance of Terminus along the National State Highway/District roads and collection of parking fees, subject to framing of Rules by the Dept.

11 Government of Manipur, Secretariat, Development Department, Orders by the Governor, Manipur, Imphal 28th June, 2000, pp. 1-9.
Powers and Function of Gram Panchayat:

Maintenance of bus stands/ terminus along the village/inter village rods and collection of parking fees subject to framing of rules by the Deptt.

2. Fisheries

Particulars of Items:

(i) Promotion of individual pisciculture scheme such as paddy cum-pisciculture/ pond culture etc.

(ii) Procurement & supply of IMC/ exotic Carps to pisciculturists at Govt. subsidised rates.

(iii) Procurement & supply of feeds/ fishing equipment to the progressive fish farmers by the Dept. through Panchayats.

Powers & Functions of Zila Parishad:

Supervision/ monitoring & implementation of schemes/ programmes including Centrally Sponsored Schemes/ Programmes under FFDA.

Powers and Function of Gram Panchayat:

Identification of beneficiaries with the approval of the Gram Sabha.

3. Science & Technology

Particulars of Items:

(i) Establishment of non-conventional energy sources such as bio-gas plant/ solar cooking plants.

(ii) Procurement & supply of solar lamps.

(iii) Introduction of smokeless/ Chulas/ improved portable chula.

Powers & Functions of Zila Parishad

Supervision/ Monitoring and implementation of the scheme

Powers and Function of Gram Panchayat:

Identification of beneficiaries with the approval of Gram Sabha.

4. Food & Civil Supplies

Particulars of Items:
(i) Associating/ co-ordinating with the concerned deptt. in identification/ selection or rationing agents and also supervise proper distribution of food grains in the Z.P. areas.

(ii) Constitution of Vigilance Committee.

(iii) Promotion of public awareness through the Z.P.s by providing funds under the Plan Head.

Powers & Functions of Zila Parishad:
Finalization/ selection of rationing/ S.K. oil Agents & constitution of Vigilance Committee.

Powers and Function of Gram Panchayat:
Recommending names for selection of rationing agents and members of vigilance committee.

5. Industries

Particulars of Items:

(i) Establishment of cottage Industries benefiting rural artisans and development of entrepreneurs in service sectors.

(ii) Arranging collaborative support from other organizations like KVIC, KVIS & other industrial organization.

Powers & Functions of Zila Parishad
Recommendation of beneficiaries of KVI's and entrepreneurs in service sectors. Association with the Task Force for selection of beneficiaries under PMRY.

Powers & Functions of Gram Panchayat:
Identification of beneficiaries through Gram Sabha.

6. Vety & A.II.

Particulars of items:

(i) Selection of beneficiaries for providing subsidy in kind in respect of (a) Cross breed female calf rearing & (b) Improved piglet rearing in the gram Panchayat areas.
(ii) Posture Development (Common) grazing ground & also fodder mini kit programme with supply of seeds free of cost from the Vety. & A.H. Dept.

(iii) Construction & maintenance of slaughter houses wherever required will be entrusted to the respective Gram Panchayat.

Powers & Functions of Zila Parishad:
Selection of beneficiaries/ Supervision & monitoring in the implementation of schemes.

Powers & Functions of Gram Panchayat:
Identification of beneficiaries through Gram Sabha.

7. Power

Particulars of Items:
Help in the recovery & collection of electricity charges on commission basis subject to framing of laws.

Powers & Functions of Zila Parishad:
Supervision control, monitoring in collection of electricity charges to achieve the revenue target fixed by the Government from time to time.

Powers & Functions of Gram Panchayat:
Recovery and collection of electricity charges on commission basis subject to framing of Rules.

8. Agriculture

Particulars of Items:

(i) Distribution of improved agricultural tools & implants & the inputs to farmers

(ii) Distribution of improved/ high yielding seeds to the farmers.

(iii) Promotion of measures to increase agricultural production/ activities in the Zila Parishad.

Powers & Functions of Zila Parishad:
Consolidation supervision, monitoring of programmes in the implementation of programme schemes.
Powers & Functions of Gram Panchayat:
Identification of beneficiaries through Gram Sabha.

9. Horticulture

Particulars of Items:

(i) Selection of beneficiaries may be done through Panchayats in respect of: (a) expansion programme, (b) Promotion programme (c) Expansion of Pineapple by adopting improved practices.

(ii) Selection of site to beneficiaries may be done through Panchayat for: (a) assistance to small & marginal farmers in the construction of small engineering structure & land leveling, (b) construction of water harvesting structure.

Powers & Functions of Zila Parishad:
Consolidation of programmes, supervision, monitoring in the implementation of programmes schemes.

Powers & Functions of Gram Panchayat:
Identification of beneficiaries through Gram Sabha.

10. Tribal Development Welfare of Weaker Section (SC & ST)

Particulars of Items:

(i) Selection of beneficiaries for family oriented schemes like Animal husbandry, Fishery, Agriculture, Industry etc. may be done by the Panchayats.

(ii) Selection of works under community schemes like construction of village approach roads, Community Hall, school building etc. may be done by the Zila Parishad.

Powers & Functions of Zila Parishad:
Implementation, supervision & monitoring in the implementation of programme for S.C.

Powers & Functions of Gram Panchayat:
Selection of beneficiaries through Gram Sabha.
11. Co-operative

Particulars of Items:

Assistance by Gram Panchayat during intensive Gram Loan Recovery Programme.

**Powers & Functions of Zila Parishad:**

To associate with the Dept. in the recovery of loan & make plans for extending credit to farmers.

**Powers & Functions of Gram Panchayat:**

To associate with the Dept. in the recovery of loan.

12. P.H.E.D.

Particulars of Items:

(i) Repair & Maintenance of drinking water, wells, tanks & pond.

(ii) Prevention & Control of water pollution.

(iii) Maintenance of selected rural water supply schemes including hand pumps.

(iv) Collection of water charges subject to framing of rules by the Administrative Deptt.

(v) Conservation & protection water source including protection of catchments areas.

**Powers & Functions of Zila Parishad:**

Supervision & monitoring in the implementation of schemes/ programmes and finalization of proposal for selection of beneficiaries for low cost latrines/ other health & sanitation programmes/ schemes.

**Powers & Functions of Gram Panchayat:**

Identification of beneficiaries through gram Sabha.

13. Irrigation & Flood Control

Particulars of Items:

(i) Collection of water charges on commission basis subject to framing of Rules by the administrative Dept.
(ii) Implementation of emergency flood control works costing less than Rs.20,000/-.

Powers & Functions of Zila Parishad
Supervision & monitoring the collection of water charges & implementation of emergency flood control works.

Powers & Functions of Gram Panchayat:
Recovery and Collection of water charges on commission basis subject to framing of rules & identification of location of works.

14. Public Works

Particulars of Items:
(i) Maintenance of inter-village roads including minor bridges & culverts.
(ii) Providing ferry services.
(iii) Construction of outer Gram Panchayat roads.

Powers & Functions of Zila Parishad
Finalisation of proposal for works programme & association with the Works Advisory Committee. Supervision & monitoring in the implementation of work.

Powers & Functions of Gram Panchayat:
Identification of work sides & collection of water charges on commission basis.

16. Forest

Particulars of Items:
(i) Plantation of trees at village Panchayat lands and road sides.
(ii) Production of village grazing ground, plantation of fuel & fodder at village waste lands.
(iii) Cultivation and regeneration of Minor Forest Produce (MFP) species like tejpatta, Dalchini, Betal leaf, Mekruk, Sandal Wood, etc.
Powers & Functions of Zila Parishad

Supervision & monitoring in the implementation of programme/ schemes procurement of seedlings/ saplings from the Forest Deptt. for distribution so Gram Panchayat and plantation of trees/ observance of Vana Mahautsav, etc.

Powers & Functions of Gram Panchayat:

Selection of sites for plantation of trees.

17. Rural Dev.

Particulars of Items:

(i) Planning/ formulation of works pro-self of projects implementation and supervision & monitoring to ensure proper implementation of programmes relating to the following works:

    (a) IRDP  
    (b) JRY  
    (c) IAY  
    (d) DWCRA  
    (e) TRYSEM  
    (f) Millions wells.

(ii) Community Development programme for implementation of centrally sponsored programmes under item 1 above is to be made adhering to guideline issued by the Govt. of India from time to time.

Powers & Functions of Zila Parishad

Planning formulation of works programme/ set of projects implementation of programme and supervision & monitoring in the implementation of programme including newly introduced programme viz. SGSY & JGSY.

Powers & Functions of Gram Panchayat:

Identification of beneficiaries, location of works through Gram Sabha.

18. Education

Particulars of Items:

(i) Orgn. Of Adult Edn/ Non-formal Edn. Centres.

(ii) Repair & Maintenance of Primary School Building.
(iii) Establishment & maintenance of rural Libraries under Raja Ram Mohon Roy & Rajiv Gandhi Foundation.

Powers & Functions of Zila Parishad
Supervision monitoring and implementation of the programme & ensuring per cent enrolment in schools and finalisation of identification/ selection of Adult Edn./Non-formal Edn. Centres & its workers/ supervisions.

Powers & Functions of Gram Panchayat:
Identification of Adult/ Non-formal Edn. Centres & its works/ Supervises Library through Gram Sabha.

19. Arts & Culture

Particulars of Items:
Orgn. Of cultural activities/ programme.

Powers & Functions of Zila Parishad
To associate with the Dept. for promotion of cultural activities in consultation with the eastern Zonal Council (EZC) & North Eastern Zonal Council (NEZC)

Powers & Functions of Gram Panchayat:
To associate the implementation of the programme.

20. Market & Fairs

Particulars of Items:
Identification of suitable marketing sites.
Establishment & maintenance of rural markets.

Powers & Functions of Zila Parishad:
Supervision, implementation & monitoring of the programmes.

Powers & Functions of Gram Panchayat:
Identification of suitable marketing sites through gram Sabha.

21. Medical

Particulars of Items:
(i) Maintenance of building of PHSC & Dispensaries.
(ii) Organisation of training Camps on health and sanitation programme.

(iii) Implementation of Family Welfare Schemes.

Powers & Functions of Zila Parishad:

Supervision & monitoring and implementation of programme & also to promote organization of programme relating to drug abuse/AIDS.

Powers & Functions of Gram Panchayat:

To associate in the implementation of the programme.

22. Social Welfare

Particulars of Items:

(i) Associating Zila Parishad in the selection of Anganwadi centers.

(ii) Implementation of NSAP except old age pension scheme.

(iii) Prevention of drug abuse.

(iv) Implementation of BSY (Balika Samridhi Yojana) Schemes.

Powers & Functions of Zila Parishad:

Supervision implementation & monitoring of the programme.

Powers & Functions of Gram Panchayat:

Identification of beneficiaries/ location of Anganwadi Centres through Gram Sabha.

Further, it is ordered that the Department concerned shall take the following actions on the recommendation of the expert committees:

(a) All the concerned Departments are required to frame Rules for collection of bus parking fees, recovery and collection of electricity charges/ taxes water charges/ taxes on commission basis.

(b) All concerned Departments are required to identify the budgetary allotment of funds to be earmarked for the scheme/ works to be transferred to the Panchayat Raj Institutions including those schemes/ works under the Centrally Sponsored Schemes/ Central Plan Schemes. Such funds shall be transferred to the Rural Development and Panchayati Raj Deptt.
(c) All the concerned Departments shall provide technical guidance for implementation of the schemes/ works minimum skeletal Staff either on attachment basis or on marked from the Rural Development and Panchayati Raj Department as may be decided by the department concerned.
APPENDIX-IV

GENERAL ELECTION TO GRAM PANCHAYATS IN MANIPUR

1. 1st General Election to PRIs – 1964 dated 13-1-1964
   14-1-64
   22-1-64
   25-1-64

2. 2nd General Election to PRIs – 1570 dt. 31.1.70 and 6.2.70

3. 3rd General Election to PRIs – 1975, dt. 15.5.78 and 24.5.78

4. 4th General Election to PRIs – 1985, dt. 7.5.85

5. 5th General Election to PRIs – 1991, dt. 7.9.91


No. of Gram Panchayats/ Nyaya Panchayats under corresponding year in Manipur:

<table>
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<th>Year</th>
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<td>1964</td>
<td>227</td>
<td>43</td>
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<tr>
<td>(Ist Gen. Elec.)</td>
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<td></td>
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<td>1970</td>
<td>221</td>
<td>44</td>
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<tr>
<td>(Second Gen. Elec.)</td>
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</tr>
<tr>
<td>1978</td>
<td>107</td>
<td>37</td>
</tr>
<tr>
<td>(3rd Gen. Elec)</td>
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<tr>
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<td>166</td>
<td>42</td>
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<tr>
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<td>1991</td>
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<td>(9th Gen. Elec.)</td>
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<td>- 166</td>
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<tr>
<td>II</td>
<td>- 61</td>
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</tbody>
</table>

(A) DATE OF ELECTION

1st General Election to PRIs. - 1964

1) 13-1-1964 Thoubal & I/East

2) 22-1-64 I/West-I, I/West-II, Bishnupur & Jiribam.


2nd General Election to PRIs - 1970

31-1-70 & 6-2-70 constitution of Gram Panchayat 9-4-70 to 24-4-70.

3rd General Election to PRIs. - 1978

1) 15-5-78 I/West-I, I/West-II, Jiribam.

2) 24-5-78 Thoubal, Bishnupur, I/East (REPOLL).

(MPR Act. 1975 enforced w.e.f. 10-1-78).
4th General Election to PRIs 1985
1985 7-5-85 (1) Up-Pradhans -31-5-85.
(II) Pramukh/ Up-Pramukh =21-9-85 (merged with oath taking of 5 members).


(B) DATE OF OATH TAKING (CATEGORY-WISE) 1985.

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<th>Date</th>
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<td>1. Pramukh/Up-Pramukh</td>
<td>7/10/85 Thoubal/ Bishnupur (1) I/West-I I/West-II &amp; Jiribam 7-10-85. (2)I/East-I &amp; II on 21-10-85.</td>
</tr>
<tr>
<td>2. Sarpanch/Up-Sarpanch &amp; Panches</td>
<td>30-9-85. (Samiti Members)</td>
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</tbody>
</table>
(C) CONSTITUTION/ ESTABLISHMENT OF PRIS/PANCHAYAT SAMITI

1. Establishment of 165 Gram Sabhas under 6 C.D. Blocks by the Govt.  
   - Vide Notification No.26/3/83(Pt) dated 13-1-84.

2. Establishment of 42 Nyaya Panchayat circles by the Govt.  
   - No.26/23/85-P(Pt) dt. 24-6-85.

3. Constitution of 8 Panchayat Samiti for 8 C.Dk. Block by the Govt.  
   - No.26/23/85-P(Pt) dt. 24-8-85.

   - No.1/41/86-Dev dt. 5/8-9-86

5. Establishment of I/East-I & I/East-II Block Panchayat Samiti.  
   - No.26/23/85-P(Pt) dt. 12-11-86

6. Constitution of Gram Panchayat  
   - No.26/3/85-P dt. 21-5-85.

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5. Government of Manipur: (i) The Manipur Municipalities Act, 1975;
   (ii) The Manipur Municipalities Act, 1994;


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(i) (Published Works in Manipuri)


B. (ii) Published Works in English


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<tr>
<th></th>
<th>Author(s)</th>
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<tbody>
<tr>
<td>34.</td>
<td>Jai Kant Tiwary</td>
<td>Rural Development Administration, Chugh Publications, Alfaabad.</td>
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<td>35.</td>
<td>James, C. Charles</td>
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<td>40.</td>
<td>McCullock</td>
<td>Account of the valley of Manipur.</td>
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<tr>
<td>42.</td>
<td>------------</td>
<td>Local self-Government in India (1976).</td>
</tr>
<tr>
<td>43.</td>
<td>------------</td>
<td>Local Government in India.</td>
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<td>44.</td>
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<td>Lakshi Varain Agarwal Agra-3 (1988).</td>
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<tr>
<td>45.</td>
<td>------------</td>
<td>Comparative Government and Politics.</td>
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48. Mrs. Greenwood : My Three Years Experience in Manipur.


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<th>No.</th>
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<tr>
<td>58</td>
<td>Rao, V.V.</td>
<td>A hundred years of Local Self Government in Assam, Calcutta (Kolkata) (1965).</td>
</tr>
<tr>
<td>59</td>
<td>Rao, V.V. and Hazarika, Niru</td>
<td>Local Self Government in India (1980).</td>
</tr>
<tr>
<td>64</td>
<td>Shakespeare, J.</td>
<td>Manipur under British Management (1891-1907).</td>
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<tr>
<td>65</td>
<td>Shivaji, Rao, Kh.</td>
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               (ii) Micropaedia Vol. VI (p. 871).


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2. Seminar on “Alleviation of Rural Poverty” (19th November 1986), Inaugurated by Shri Rama Nanda Yadav, Hon’ble Union Minister of State (Rural Development), Government of India, organized by Manipur Legislative Assembly Secretariat, Imphal.