

CHAPTER - IX

VILLAGE AND NEIGHBOURHOOD COUNCILS

SECTION 93: VILLAGE AND NEIGHBOURHOOD COUNCILS

Within ninety days of the assumption of office, upon a proposal of the Taluka Municipal Administration or Town Municipal Administration, as the case may be:

- (i) The Taluka Council may determine and declare by notification a Village or a Neighbourhood in urban areas in the Taluka, to have a Village Council or, as the case may be, Neighbourhood Council, and number of members to be elected for such Councils; and
- (ii) The Town Council may determine and declare by notification a Neighbourhood or a Village in the rural areas in the town, to have a Neighbourhood Council or, as the case may be, Village Council, and number of members to be elected for such Councils;

SECTION 94: COMPOSITION OF VILLAGE COUNCIL AND NEIGHBOURHOOD COUNCIL

- (1) The number of members of Village Council and Neighbourhood Council shall be five to eleven members each: Provided that for each Council one seat shall be reserved for women and one seat for peasants and workers:
- (2) The Village Council and Neighbourhood Council shall each be headed by a Chairman who shall be the person securing highest number of votes in the election of Village Council or, as the case may be, Neighbourhood Council.
- (3) The Union Nazim shall allocate the work relating to the Village Councils and Neighbourhood Councils in the Union amongst the secretaries posted in the Union Administration.
- (4) Every Village Council and Neighbourhood Council shall be a body corporate.

SECTION 95: ELECTION OF VILLAGE COUNCIL AND NEIGHBOURHOOD COUNCIL

- (1) The Taluka Municipal Administration and Town Municipal Administration shall, within ninety days after declaration of Villages and Neighbourhoods conduct the elections of Village Councils and Neighbourhood Councils as may be prescribed.
- (2) District Government shall facilitate and provide necessary support to the Taluka Municipal Administration and Town Municipal Administration in the elections of Village and Neighbourhood Councils.

- (3) Where a Taluka Council or Town Council does not make declaration referred to in section 93 or where a Taluka Municipal Administration or, as the case may be, Town Municipal Administration fails to conduct elections of Village Councils or Neighbourhood Councils within ninety days referred to in sub-section (1), the District Government shall make such declaration or, as the case may be, conduct the elections of the Village Councils and Neighbourhood Councils within thirty days from the declaration made by it.
- (4) The vacancies of the members of the Village Council or, as the case may be, Neighbourhood Council referred to in section 93 shall be filled in by the persons securing highest number of votes.
- (5) The term of office of the Village Council and Neighbourhood Council shall correspond to the term of office of the Union Council concerned provided that the Village Council and Neighbourhood Council shall continue in office until replaced by a new Village Council or, a Neighbourhood Council, as the case may be.

SECTION 96: FUNCTIONS OF THE BUSINESS OF UNION COUNCIL.

- (1) The functions of the Village and Neighbourhood Councils shall be to-
- (a) develop and improve water supply sources;
 - (b) make arrangements for sanitation, cleanliness and disposal of garbage and carcasses;
 - (c) develop sites for drinking and bathing of cattle;
 - (d) take measures to prevent contamination of water;
 - (e) prevent and abate nuisances in public ways, public streets and public places;
 - (f) organise watch and ward in the Village and Neighbourhood through unarmed Village or Neighbourhood guards;
 - (g) organise Village and Neighbourhood sports teams, cultural and recreational activities;
 - (h) mobilise voluntary resources, including physical labour, property and cash contributions for municipal activities in the Village and Neighbourhood;
 - (i) facilitate the formation of co-operatives for improving economic returns and reduction of interstitial poverty and consumer protection;
 - (j) report cases of handicapped, destitute, and of extreme poverty to the Union Administration;
 - (k) mobilise the community involvement in maintenance of public streets, play grounds, parks, culverts and public buildings, de-silting of canals and watercourses; and
 - (l) promote plantation of trees, landscaping and beautification of the Village and Neighbourhood.
- (2) The Village Council and Neighbourhood Council shall assist Union Administration in-

- (a) conducting surveys in the Village and Neighbourhood and collecting socio-economic data;
 - (b) selecting sites for providing municipal facilities and services to the Village or Neighbourhood;
 - (c) identifying encroachments;
 - (d) managing burial places and cremation grounds of the village;
 - (e) managing and lighting of Village or Neighbourhood roads, streets, and paths; and
 - (f) collecting land revenue and other taxes.
- (3) A Village Council or Neighbourhood Council may, subject to such terms and conditions as may be mutually agreed, entrust any of its functions to the Union Administration:

Provided that responsibility for discharge of such functions shall continue to vest with the Village Council or, as the case may be, Neighbourhood Council:

Provided further that no function or responsibility shall be transferred without allocation of corresponding resources and funds.

97. Village Council and Neighbourhood Council to develop facilities.- (1) The Village Council and Neighbourhood Council may, with funds raised through voluntary contributions or on self-help basis, develop and maintain municipal and community welfare facilities.

(2) Village Council and Neighbourhood Council shall facilitate creation of the Citizen Community Boards for development and maintenance of municipal and community welfare facilities.

SECTION 97: VILLAGE COUNCIL AND NEIGHBOUR COUNCIL TO DEVELOP FACILITIES.

Village Council and Neighbourhood Council to develop facilities.-

- (1) The Village Council and Neighbourhood Council may, with funds raised through voluntary contributions or on self-help basis, develop and maintain municipal and community welfare facilities.
- (2) Village Council and Neighbourhood Council shall facilitate creation of the Citizen Community Boards for development and maintenance of municipal and community welfare facilities.

- ¹¹⁴ [(4) If the motion referred to in sub-section (1) is approved by two-third majority of the votes of its total membership, through a secret ballot to be conducted by the Returning Officer nominated by the Chief Election Commissioner, the Naib Union Nazim shall cease to hold office forthwith on approval of the motion by the Union Council.]
- (5) Where the motion fails in the Union Council, the proposer and seconder of such motion shall lose their seats as members of the Union Council.
- (6) The ¹¹⁵[Chief Election Commissioner] shall notify the result of the approval of the motion by the Union Council.
- (7) The Naib Union Nazim shall have the right to ¹¹⁶[address the Union Council] in his defence.
- (8) No motion for recall of Naib Union Nazim shall be moved during the first year of assumption of office of Naib Union Nazim nor shall such motion be repeated before the expiry of one year from the rejection of previous motion.
- ¹¹⁷ [(9) Where the motion against Naib Union Nazim is approved under sub-section (4), the Union Nazim shall cause the election of officiating Naib Union Nazim within ten days from the date of approval of the motion.]