

CHAPTER - VII

UNION ADMINISTRATION

SECTION 74: COMPOSITION OF UNION ADMINISTRATION.

There shall be constituted a Union Administration for every Union which shall be a body corporate and consist of Union Nazim, Naib Union Nazim and not more than three Union Secretaries and, where required, the members of ancillary staff.

SECTION 75: STRUCTURE OF UNION ADMINISTRATION.

- (1) The Union Nazim shall be the head of the Union Administration.
- (2) The Naib Union Nazim shall deputise the Union Nazim during his temporary absence.
- (3) The Union Secretaries shall coordinate and facilitate in Community Development, functioning of the Union Committees and delivery of Municipal Services under the supervision of Union Nazim:

Provided that functions of the Union may be assigned to one or more Secretaries.

- ⁹⁶[(4) The Union Nazim may declare one of the Secretaries of the Union Administration to act as the Principal Accounting Officer of the Union Administration.]

SECTION 76: FUNCTIONS OF THE UNION ADMINISTRATION.

The function of Union Administration shall be-

- (a) to collect and maintain statistical information for socio-economic surveys;
- (b) to consolidate Village and Neighbourhood development needs and prioritise them into Union-wide development proposals with the approval of the Union Council and make recommendations thereof to the District Government or Taluka Municipal Administration, as the case may be;
- (c) to identify deficiencies in the delivery of services and make recommendations for improvement thereof to the Taluka Municipal Administration;
- (d) to register births, deaths and marriages and issue certificates thereof;
- (e) to make proposals to the Union Council for levy of rates and fees specified in the Second Schedule and to collect such rates and fees within the Union;
- (f) to establish and maintain libraries;
- (g) to organize inter-village or Neighbourhood sports tournaments, fairs, shows and other cultural and recreational activities;
- (h) ⁹⁷ [XXX]
- (i) to disseminate information on matters of public interest;
- (j) to improve and maintain public open spaces, public gardens and playgrounds;
- (k) to provide and maintain public sources of drinking water, including wells, water pumps, tanks, ponds and other works for the supply of water;

- (l) to maintain the lighting of streets, public ways and public places through mutual agreement with the Taluka Municipal Administration;
- (m) to arrange facilities for the handicapped, destitutes and poor;
- (n) to provide protection against stray animals and animal trespass, and to establish cattle pounds;
- (o) to regulate grazing areas;
- (p) to assist the relevant authorities in disasters and natural calamities, and assist in relief activities, including de-silting of canals;
- (q) to co-operate with the public, private or voluntary organisations, engaged in activities similar to those of the Union;
- (r) to execute the projects of the approved Union Annual Development Plan by contracting out to the private sector in the manner as may be prescribed and to obtain support of the Taluka Municipal Administration or District Government for such execution; and
- (s) to assist the Village Councils or, as the case may be, Neighbourhood Councils in the Union to execute development projects.

SECTION 77: ASSIGNMENT OF FUNCTIONS TO VILLAGE COUNCIL.

The Union Administration may, subject to such terms and conditions as may be mutually agreed, assign any of its functions to Village Council:

Provided that responsibility for discharge of such functions shall continue to vest with the Union Administration:

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

SECTION 78: ENTRUSTMENT OF FUNCTIONS BY DISTRICT GOVERNMENT, ETC.

(1) The District Government or, as the case may be, the Taluka Municipal Administration may entrust any of its functions to the Union Administration with mutual agreement:

Provided that resources required for carrying out such functions shall be made available to the Union Administration.

(2) The Union Administration may, with the mutual agreement and the funds raised by it through voluntary contributions, undertake development projects or functions of the Taluka Municipal Administration or the District Government:

Provided that no additional user charges or fees shall be collected from the population benefiting from such projects and functions:

Provided further that for carrying out such functions or completion of such projects, the Union Administration shall not have recourse to public funds or incur any debt.

SECTION 79: GOVERNMENT TO PRESCRIBE POWERS OF UNION ADMINISTRATION.

The administrative, financial and regulatory powers of the Union Administration shall be prescribed by the Government.

SECTION 80: FUNCTIONS OF UNION NAZIM.

A Union Nazim shall-

- (a) provide leadership for Union-wide development and preparation of budget and the annual development plan;
- (b) organize the management of inter-villages municipal infrastructure;
- (c) assist the Taluka Municipal Administration in spatial planning process;
- (d) constitute Musalihat Anjuman;
- (e) dispose of the business of Union Administration ⁹⁸[and shall record the annual Performance Evaluation Report of Union Secretaries and such report shall be countersigned by the Taluka Municipal Officer;] and
- (f) report to the concerned authorities in respect of-
 - (i) encroachment on State and Local Government property and violation of land use and building laws, rules and bye-laws;
 - (ii) sale and trade of dangerous and offensive articles;
 - (iii) environmental and health hazards;
 - (iv) adulteration of articles of food; and
 - (v) breach of public watercourses, within the area of the Union.

SECTION 81: PERSONAL RESPONSIBILITY OF UNION NAZIM.

The Union Nazim shall be personally responsible for any loss, financial or otherwise, flowing from the decisions made by him personally or under his directions in violation of any provisions of this Ordinance or any other law for the time being in force and for any expenditure incurred without lawful authority.

SECTION 82: SETTING ASIDE DECISIONS OF UNION NAZIM.

(1) On a motion initiated by the Taluka Nazim or Town Nazim, Taluka Council or, as the case may be, Town Council may, by a resolution stating the grounds thereof, passed by a simple majority of its total membership, set aside an order or decision taken by Union Nazim, if it considers the same to be against the interest of the people or public policy.

(2) The result of the resolution referred to in sub-section (1) shall be notified by the Taluka Council or Town Council, as the case may be.

⁹⁹[**SECTION 82-A. SETTING ASIDE THE ORDER OF UNION NAZIM BY THE CHIEF EXECUTIVE OF THE PROVINCE.**

- (1) Notwithstanding anything contained in Section 82, where, in the opinion of the Chief Executive of the Province, an order or decision of the Union Nazim is not in conformity with law or is against the interest of the people, he may, for the reasons to be recorded and conveyed to the Nazim, suspend such order or, as the case may be, decision and refer the matter to the Provincial Local Government Commission for an enquiry to be completed not later than ninety days:

Provided that the Union Nazim shall be given an opportunity of being heard by the Provincial Local Government Commission before making recommendation to the Chief Executive of the Province.

(2) On receipt of report of enquiry conducted by the Provincial Local Government Commission, the Chief Executive of the Province may take such action as deemed expedient in the light of such report, including quashment of the order or decision of the Union Nazim:

Provided that, if no action is taken within ninety days of the suspension of the order or decision of the Union Nazim, such order or, as the case may be, decision shall stand restored.

(3) The quashment of an order or decision referred to in sub-section (2) shall be notified by the Government in the official Gazette.]

SECTION 83: RESIGNATION BY UNION NAZIM.

The Union Nazim may resign from his office by tendering resignation in writing addressed to Naib Zila Nazim.

SECTION 84: ¹⁰⁰[XXX]

SECTION 85: ¹⁰¹[RECALL] OF UNION NAZIM.

(1) If in the opinion of a member of Union Council, there is a reason to believe that the Union Nazim is acting against the public policy or the interest of the people or on the ground of inaction or neglect to serve the needs of the people, he may, seconded by another member of the Council, give a notice to move a motion in the Union Council for recall of Union Nazim.

(2) On receipt of notice referred to in sub-section (1), the Naib Union Nazim shall summon a session of Union Council within three days if the Union Council is not already in session.

(3) Where the Union Council is already in session, the motion referred to in sub-section (1) shall be taken up for deliberations on the next day from its receipts in the Union Council.

¹⁰²[(4) Where the motion referred to in sub-section (1) is approved by two-third majority of the votes of the total membership of the Union Council, through a secret ballot to be conducted by the Election Commission, the Union Nazim shall cease to hold office forthwith and the notification shall be issued in this behalf by the Chief Election Commissioner.]

(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) ¹⁰³[XXX]

(7) The Union Nazim shall have the right to ¹⁰⁴[address the Union Council] in his defence.

(8) No motion for recall of Union Nazim shall be moved during the first six months of assumption of office of Union Nazim nor shall such motion be repeated before the expiry of one year from the rejection of previous motion.

SECTION 86: JOINT COMMITTEES OF COUNCILS.

The Union Council may, with the consent of the Zila Council or a Taluka Council or Town Council or adjoining Union Councils set up joint committees of the Councils for any purpose in which such Councils may be jointly interested and may delegate to such joint committee any power which may be exercised by them, including the power to make bye-laws for their functioning.

