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PART-IIA

GOVERNMENT OF MEGHALAYA
DISTRICT COUNCIL AFFAIRS DEPARTMENT

NOTIFICATION

The 25th January, 2022.

No.DC/L/VII/3/2021-22/38/47. - In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Khasi Hills Autonomous District Council is hereby published for general information:-

THE KHASI HILLS AUTONOMOUS DISTRICT (VILLAGE AND TOWN DEVELOPMENT COUNCIL)
ACT, 2021

(Passed by the Khasi Hills Autonomous District Council on the 10th November, 2021)

(Received the assent of the Governor on the 9th February, 2022)

(Published in the Gazette of Meghalaya Extraordinary issue dated 17th February, 2022)

AN

ACT

To provide and make provision for constitution of the Village Development Council or Town Development Council for planning and implementation of developmental activities within the Village and Town in the Autonomous District of Khasi Hills.

PREAMBLE

WHEREAS under the Sixth Schedule to the Constitution of India, the District Council for an Autonomous District is empowered to make laws with respect to any matter related to village and town administration which include development of villages and town.

AND to provide for a village and town administration that will reflect all aspects of good governance in which priority will be given to issues of community participation in decision making, transparency and accountability in such decisions which also should be in conformity with the Khasi Custom.

AND where the concept of Tribal Interest, the aspect of governance within the context of this Act shall strive to define, protect and conserve within a globalized socio-economic environment, and within the provisions of the Sixth Schedule to the Constitution of India, those ideas and practices that seek to retain and preserve the socio-cultural ethos of Khasi Society;

NOW, THEREFORE, the District Council of the Khasi Hills Autonomous District in exercise of the powers conferred upon it under the Sixth Schedule to the Constitution of India and of all other powers enabling it on that behalf hereby enacts in the Seventy First Year of the Republic of India as follows:-

Short title, extent and Commencement.

1. (1) This Act may be called the Khasi Hills Autonomous District (Village and Town Development Council) Act, 2021.
- (2) It shall extend to the whole of Khasi Hills Autonomous District.
- (3) It shall come into force with effect from the date on which it is Published in the official Gazette of the Government of Meghalaya.

Definition.

2. In this Act, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them as follows:-
 - (1) **“Adult”** means a person male or female who has attained the age of 18 (eighteen) years.
 - (2) **“Chief”** means a Syiem, a Lyngdoh, a Sirdar, or a Wahadadar as the case may be of any Elaka;
 - (3) **“Chief and his Dorbar”** shall have the same meaning and definition as provided under Section 2 (f) of the United Khasi-Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headmen) Act, 1959.
 - (4) **“Constituency”** means a constituency for the purpose of election to the District Council;
 - (5) **“District”** means the Khasi Hills Autonomous District;
 - (6) **“District Council”** means the Khasi Hills Autonomous District Council constituted under the Sixth Schedule to the Constitution of India;
 - (7) **“District Fund”** means the District Fund of the Khasi Hills Autonomous District constituted under paragraph 7 of the Sixth Schedule to the Constitution of India.
 - (8) **“Dorbar Raid”** means a Durbar of the Raid consisting of the Syiem Raid, Lyngdoh Raid, Basan, Sordar Raid, Longsan (representatives elected by the clans) and the representative of each village under the Raid as the case may be or the respective clan(s) who has customary rights to administer the Raid Land.
 - (9) **“Dorbar Shnong”** means the traditional village institution of the village of the Khasis and composed of all adult Khasi inhabitants of not less than 18 years of age, where the prevailing age-old

customary and traditional governance and adjudication are carried-out and as defined in relevant Acts and Rules.

- (10) **“Elaka”** means a Hima which is an administrative unit within the Autonomous District as specified in Appendix-I and II and recognized as such by the District Council;
- (11) **“Executive Committee”** means the Executive Committee of the Khasi Hills Autonomous District Council constituted under this Act.
- (12) **“General Council”** means the General Council of the Village Development Council and Town Development Council constituted under this Act.
- (13) **“Executive Council”** means the Executive Council of the Village Development Council and Town Development Council constituted under this Act.
- (14) **“Executive Dorbar”** means the elected or nominated members and office bearers of the Dorbar Shnong consisting of the Rangbah Shnong, the Assistant or Deputy Rangbah Shnong, the Secretary, the Treasurer, the Sangot or any other office bearers the Dorbar Shnong deem necessary;
- (15) **“Gazette”** means the Meghalaya Gazette;
- (16) **“Khasi”** means a person belonging to the Khasi indigenous tribe who may be a Khyntiam, Pnar, War, Bhoi, Maram or Lyngngam or who is recognised or deemed as such under prevailing Khasi Custom or under the Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Act, 1997.
- (17) **“Permanent Resident”** for the purposes of this Act, a person shall be deemed to be permanently resident within the village or town if he has taken up his fixed or permanent habitation with his family or made his permanent home in that village or town and resided continually therein for a period of not less than twelve years on the qualifying date, A person shall not be deemed to have taken up his fixed habitation in the village or town merely by the reason of his having resided there in connection with his civil or military service or in exercise of any profession or calling. Such person should be a domicile of the State of Meghalaya and who is recognized as a permanent resident of the village or town by the respective Dorbar Shnong.
- (18) **“Prescribed”** means prescribed under this act or by Rules made thereunder;
- (19) **“Headman”** means the traditional head of a village which shall include a Sordar Shnong, a Rangbah Shnong and a Myntri Shnong falling within the jurisdiction of each of the existing Elaka as specified in Appendix-I, I(A) and II and elected as per prevailing custom in the village or Elaka.

- (20) **“Household”** means a group of persons consisting of parent, children and grandchildren living in one family as a unit;
- (21) **“Returning Officer”** means a Returning Officer nominated/ appointed by the Executive Committee under the provision of this Act;
- (22) **“Rules”** means the Rules made under the provision of this Act;
- (23) **“Town”** means an urban area of human habitation having definite contiguous boundary where a number of houses has been grouped together under one administration *i.e.*, a Dorbar Shnong for administrative purposes and recognized as such by the Elaka under which the area falls, approved by the Executive Committee and notified as town by the Executive Committee under the provision of this Act;
- (24) **“Town Development Council (TDC)”** means a developmental body dealing with the welfare and socio-economic development of the Town under the administrative control of the Dorbar Shnong.
- (25) **“Village”** means a rural area of human habitation having definite contiguous boundary where a number of houses has been grouped together under one village for administrative purposes and recognized as such by the Elaka under which the village falls, approved by the Executive Committee and notified as town by the Executive Committee under the provision of this Act;
- (26) **“Village Development Council (VDC)”** means a developmental body dealing with the welfare and socio-economic development, of the village under the administrative control of the Dorbar Shnong/Raid/ Elaka;

Notification of Village and Town.

3. After the commencement of this Act the Executive Committee after consultation with the Chief and his Dorbar shall notify the name of the villages and towns within the Autonomous District.

Establishment of the Village Development Council and Town Development Council.

- 4.
- (1) In each and every village there shall be a Village Development Council and in each and every Town there shall be a Town Development Council constituted by the Dorbar Shnong and duly approved by the Chief and the Executive Committee of the District Council.
- (2) With effect from the date of coming into force of this Act, every Chief shall ensure that every village in the rural area under his jurisdiction shall constitute a Village Development Council and every town in urban area under his jurisdiction shall constitute a Town Development Council to enable and ensure the participation of men, women and youth in welfare and socio-economic development of the village and town based on people's participation and a sense of community ownership.

- (3) The Village Development Council or Town Development Council shall be under the General control and supervision of the Dorbar Shnong and it shall be accountable to the Dorbar Shnong.
- (4) The Village Development Council or Town Development Council shall consist of all adult residents of the village, and they shall form the General Council of the Village Development Council or Town Development Council.
- (5) The Village Development Council or Town Development Council shall be a permanent non-hierarchical body, and its decision-making shall be based on simple majority, and any person holding office in the Village Development Council or Town Development Council shall be accountable to its General Council, the Dorbar Shnong and the Executive Committee.
- (6) The Headman shall be *ex-officio* Chairman of the Village Development Council or Town Development Council.
- (7) The members of the Village Development Council or Town Development Council shall elect a Vice-Chairman, Secretary, Joint Secretary, Treasurer and nominate other Executive Members from amongst themselves in a General Council meeting chaired by the Headman and supervise by the Returning Officer specially convened for the said purpose by way of secret ballot voting and simple majority.
- (8) After the formation of the Village Development Council or Town Development Council, the Dorbar Shnong shall seek the approval from the Executive Committee through the Chief.
- (9) The annual account of the Village Development Council or Town Development Council shall be audited by the Auditor appointed by the Executive Dorbar with prior approval of the Dorbar Shnong. The Dorbar Shnong shall report and place the audit annually in the Dorbar.
- (10) The audited account so maintained by the treasurer shall be placed before the Executive Dorbar and the Village Development Council or Town Development Council in each of its meetings.

Village and Town Development Council in area where there is no Traditional Dorbar Shnong.

5. (1) In the area where there is no Dorbar Shnong, the Executive Committee after consultation with the Chief and his Dorbar or with the Dorbar Raid as the case may be it shall constitute the Village Development Council in the village or Town Development Council in the town.
- (2) The Village Development Council or Town Development Council in this area shall consist of all adult residents of the village, and they shall form the General Council of the Village Development Council or Town Development Council.
- (3) The Village Development Council or Town Development Council in this area shall be a permanent non-hierarchical body, and its

decision making shall be based on simple majority, and any person holding office in the Village Development Council or Town Development Council shall be accountable to its General Council and the Executive Committee.

- (4) The members of the Village Development Council or Town Development Council shall elect a Chairman, Vice-Chairman, Secretary, Joint Secretary, Treasurer and nominate other Executive Members from amongst themselves in a General Council meeting chaired by the Returning Officer specially convened for the said purpose by way of secret ballot voting and simple majority.
- (5) After the formation of the Village Development Council or Town Development Council in this area, the Chief of the Elaka or the Head of the Dorbar Raid as the case may be shall seek the approval of the Executive Committee.
- (6) The annual account of the Village Development Council or Town Development Council shall be audited by the Auditor appointed by the Chief and his Dorbar or by the Dorbar Raid as the case may be. The Executive Council shall report and place the audit annually in the General Council and to the Chief and his Dorbar.
- (7) The audited account so maintained by the Treasurer shall be placed before the Executive Council and General Council of the Village Development Council or Town Development Council in each of its meetings.

Election of the member to the Executive Council in the Village Development Council and Town Development Council. 6.

- (1) The election of the Executive Member or Member of the Executive Council shall be conducted by the Executive Committee after consultation with the Headman and the Executive Dorbar Shnong and in the area where there is no Dorbar Shnong, the Executive Committee shall consult the Chief and his Dorbar or the Dorbar Raid as the case may be of the Elaka.
- (2) The election shall be done through a secret ballot and based on simple majority.
- (3) The Headman shall be the *ex-officio* Chairman, hence no election shall be held for the post of Chairman. Provided in area where there is no Dorbar Shnong election of the Chairman shall also be conducted.
- (4) The Executive Committee shall appoint a Returning Officer for the purpose of election.
- (5) The Returning Officer in consultation with the Headman and the Executive Dorbar Shnong and in the area where there is no Dorbar Shnong the Returning Officer shall consult the Chief and his Dorbar, shall:-
 - (i) Prepare the electoral roll consisting of all the male and female adult who are the permanent resident of the villages or towns.

- (ii) Fix the date for filing of nomination, scrutiny of nomination papers, withdrawal of nomination papers, date of voting and date of counting.
- (6) The Dorbar Shnong or the Chief and his Dorbar or the Dorbar Raid as the case may be in area where there is no Dorbar Shnong shall appoint the adhoc member to the Executive Council when the election of member to the Executive Council has not been held.
- (7) The election to constitute the Executive Council shall be completed:-
 - (i) Before the expiration of its term.
 - (ii) In case of dissolution, before the expiration or in case of Removal and Resignation of the Executive Member of a period of six months from the date of its dissolution or Removal and Resignation. Provided that where the remainder of the period for which the dissolve Executive Council or of the Executive Council would have continued is less than six months, it shall not be necessary to hold any election under this sub-section for constituting the Executive Council or for replaced the member for such period.
 - (iii) Executive Council constituted upon the dissolution of the Executive Council before the expiration of its duration shall continue only for remainder of the period for which the dissolved Executive Council would have continued had if not been so dissolved. The Member elected or nominated after the removal or resignation of other member shall continue only for remainder of the period of the present Executive Council.
- (8) Political parties are barred to participate in the election.

Right to vote.

- 7. Save in so far as is otherwise provided in this Act every person who is -
 - (1) a citizen of India and permanent resident in a village or town.
 - (2) not below the age of eighteen on the qualifying date.
 - (3) not of unsound mind and does not stand to declared by a competent Court or such other authority.
 - (4) for the time being not disqualified from voting under the provisions of any law relating to corrupt or illegal practices and other offences in connection with elections; shall be entitled to vote at any election to the Village Development Council and Town Development Council.
 - (5) A person not belonging to a Scheduled Tribe specified in Part XI - Meghalaya, of the Schedule to the Constitution (Schedule Tribes) order, 1950, as amended up to date shall not be entitled to so vote unless he is a permanent resident of the village or town.
 - (6) For the purposes of this Act, "the qualifying date" and "the qualifying period" means the date where the electoral roll is announced/ notified to be prepared.

Qualification of the Executive Council Member.

8. A person shall not be qualified to be elected or nominated as a member of the Executive Council of the Village Development Council or Town Development Council unless he/she:
- (1) is a citizen of India,
 - (2) is not less than twenty-five years of age; and
 - (3) is entitled to vote at the election for the Executive Member of the Village Development Council and Town Development Council.

Disqualification of the Executive Council Member.

9. A person shall be disqualified for being elected as and for being a member of the Executive Council:
- (1) if he/she is a salaried servant of the Government of India or the Government of any State specified in the first Schedule to the Constitution or is an employee of any District Council.
 - (2) if he/she is of unsound mind and stands so declared by a competent court, or such other authority as may be recognized by the Governor.
 - (3) if he/she is an undischarged insolvent;
 - (4) if he/she is not a citizen of India or has voluntarily acquired the citizenship of a foreign State, or is under any acknowledgement of allegiance or adherence to a foreign State;
 - (5) if, whether before or after the commencement of this Act, he/she has been convicted, or has, in proceedings for questioning the validity or regularity of an election, been found to have been guilty, of any offence or corrupt, or illegal practice.
 - (6) if, whether before or after the commencement of this Act, he/she has been convicted by a court in India of any offence and sentenced to transportation or to imprisonment for not less than two years, unless a period of five years, or such less period as the Governor may allow in any particular case, has elapsed since his release.

Provided that a person convicted for an offence punishable under the protection of Civil Right Acts, 1955 shall be disqualified to contest elections to the Village Development Council and Town Development Council for a period of 6 (six) years from the date of such conviction.
 - (7) if, having been nominated as a candidate for the Member of Parliament, Member of Legislative Assembly and Member of the District Council.
 - (8) if, having held any office under the Government of India or the Government of any State or the District Council of any autonomous district of any autonomous region, he has, whether before or after the commencement of this Act, been dismissed for corruption or disloyalty to the State, unless a period of five years has elapsed since his dismissal;

- (9) if he is a judicial or a Presiding Officer or a Chairman or a Vice-Chairman of any of the courts recognised as such by the Government of India, Government of Meghalaya and the District Council;
- (10) If any question arises as to whether a member of the Executive Council has become subject to any of the disqualifications, the question shall be referred for the decision of the Executive Committee and its decision shall be final.

Provided that -

- (1) A disqualification under clause (5) or clause (6) of this sub-section shall not, in the case of a person who becomes so disqualified by virtue of a conviction or a conviction and a sentence and is at the date of the disqualification a member of the Executive Council of Village Development Council and Town Development Council, take effect until three months have elapsed from the date of such disqualification, or if within these three months an appeal or petition for revision is brought in respect of the conviction or the sentence, until that appeal or petition is disposed of;
- (2) A disqualification under sub-section (7) of this section shall not take effect until the expiration of two months from the date by which the election result is concluded.

Dispute relating to election.

10. If any dispute arises regarding any matter relating to or connected with the election of the Executive Member of the Village Development Council or Town Development Council, the dispute shall be referred by the party or parties concerned to the Executive Committee on payment, of a fee of ₹ 1,000 (Rupees one thousand) only for adjudication and decision. The order/ decision of the Executive Committee shall be final.

Term of office of Village Development Council and Town Development Council office bearers.

11. The term of office of the Office bearers of the Village Development Council or Town Development Council shall be for 5 (five) years.

Resignation of office bearers.

- 12.
- (1) If the Headman has resigned in the Dorbar Shnong, he shall also be automatically considered as being resigned from the post of Chairman or the Village Development Council or Town Development Council.
- (2) The Chairman in area where there is no Dorbar Shnong may resign from his/her office by writing under his hand addressed to the Vice-Chairman or Secretary.
- (3) The Vice-Chairman, Secretary, Joint Secretary, Treasurer and other Executive Members may resign from his/her office by writing under his/her hand addressed to the Chairman.

- (4) Such resignation shall be informed accordingly to the Dorbar Shnong, Chief and his Dorbar or the Dorbar Raid as the case may be and the Executive Committee and in the area where there is no Dorbar Shnong it shall be informed to the Chief and his Dorbar and the Executive Committee.
- (5) Every resignation shall take effect on the approval of the Executive Committee and the Executive Committee shall approve the same within the period of fifteen days from the date of its receipt by the authority unless within this period of fifteen days he/she withdraws such resignation by writing under his/her hand.
- (6) Every office bearer shall vacate the office if he/she ceases to be member of Executive Council.

Removal of office bearers. 13.

- (1) If the Headman has been removed in the Dorbar Shnong or by the Chief or by the Executive Committee, he shall also be automatically considered as being removed from the post of Chairman or the Village Development Council or Town Development Council.
- (2) The Executive Member of the Village Development Council or Town Development Council shall be removed from office by the General Council of the Village Development Council or Town Development Council specially convened for the purpose. The Executive Member shall be removed on the following grounds:-
 - (i) The Executive Member has lost the confidence of the majority of the members of the Village Development Council or Town Development Council;
Or
 - (ii) The Executive Member violates any of the terms and conditions of the appointment;
Or
 - (iii) The Executive Member violates any laws, regulation, rules and resolutions passed by the General Council of the Village Development Council or Town Development Council;
Or
 - (iv) The Executive Member refuses to carry out the orders and instructions issued by the Chief and his Dorbar or the Executive Committee;
Or
 - (v) The Executive Member has been incapable of carrying on the administration to the satisfaction of the General Council and the Executive Committee due to ill health, old age or habitual drunkenness;

Or

(vi) The Executive Member has been convicted of an offence involving moral turpitude;

Or

(vii) The Executive Member has oppressed the people of the village/town and they have just cause for dissatisfaction with his misrule;

Or

(viii) The Executive Member is an undischarged insolvent,

Or

(ix) The Executive Member has been conducting himself in a manner derogatory to his office or pre-judicial to the interest of the village/town;

Or

(x) The Executive Member has been conducting himself in a manner which may undermine the authority of the village or town or the Executive Committee;

Provided that no Executive Member shall be removed under this Section unless he/she is given an opportunity of being heard.

Provided further that, the requirements of the first proviso above shall not apply - in the case where the order or removal or punishment or suspension is awarded on account of his being convicted of an offence involving moral turpitude;

(3) Removal of the Chairman where he is also the Headman of the Dorbar Shnong shall take effect only on the approval of the Dorbar Shnong and of the Chief and his Dorbar.

(4) Every case of removal shall take effect only on the approval of the Executive Committee and the Executive Committee shall approve the same within the period of fifteen days from the date of its receipt by the authority.

(5) Upon removal or resignation or death of the Chairman the Vice-Chairman along with the Executive Council shall assume responsibility of the Chairman and discharge day to day normal duties until a new Chairman is appointed. In case of the Secretary, the Joint Secretary will assume responsibility and in case of the Treasurer the Executive Council may appoint any member to act as the adhoc Treasurer.

Filing of vacancy.

14. When the seat of the Executive Member of the Village Development Council or Town Development Council become vacant or the election and nomination of a member is declared void, the Executive Committee after consultation with the Executive Dorbar Shnong or with the Chief and his Dorbar or with the Dorbar Raid as the case may be shall, by notification call upon the village or town to elect or nominate a person to fill the vacancies within such time as may be specified in the notification,

and the provision of this Act and the rules framed thereunder shall apply, as far as may be, to the procedure for the election and nomination of a member to fill such a vacancy.

Power of the Village Development Council and Town Development Council To make bye-laws.

15. Subject to the provisions of this Act and Rules framed thereunder and orders that may be passed by the Executive Committee, the Village Development Council or Town Development Council shall have the power to formulate bye-laws for dealing with matters such as meetings, absence, reporting, local contributions, planning, implementation and monitoring of schemes etc., in the discharge of its functions and responsibilities. The bye-laws shall become operative only after the approval of the Executive Committee.

Executive Council of the Village Development Council and Town Development Council.

- 16.
- (1) There shall be an Executive Council in each and every Village Development Council or Town Development Council which shall consist of not less than 10 (Ten) Member and not more than 15 (fifteen), it shall comprise of Chairman, Vice-Chairman, Secretary, Joint Secretary, Treasurer and other Executive Members and at least Thirty percent (30%) shall be woman.
 - (2) The Executive Council shall be the executive organ of the Village Development Council or Town Development Council and it shall perform such functions and duties as assigned or entrusted by the General Council and under the provision of this Act and its Rules framed thereunder.
 - (3) The Executive Council shall be collectively responsible for carry the day to day affair of the Village Development Council or Town Development Council and it shall be collectively accountable to the General Council.

Functions and responsibilities of the Village Development Council and Town Development Council.

17. The Village Development Council or Town Development Council shall have the power and shall be responsible in matters such as:
- (1) It shall be the participatory developmental planning and implementing body of the village/town.
 - (2) it shall collect data and prepare reports on the village or town, and shall prepare resource map of the village or town.
 - (3) It shall formulate Village or Town Annual Plans, perspective plans, and strategy for implementation.
 - (4) It shall implement developmental schemes and programmes within the village or town.
 - (5) It shall train inhabitants of the village or town in various aspects concerning health and hygiene, waste disposal, domestic management, skills, etc; and it shall train its members /office bearers in matters of accounting and financial management.

- (6) It shall promote and improve the livelihoods and food security of the inhabitants by taking up various kinds of developmental activities.
- (7) It shall conduct assessment and initiate sustainable management of Natural Resources.
- (8) It shall in consultation with the Dorbar Shnong identify and select individual beneficiaries whether Below Poverty Line (BPL) or Above Poverty Line (APL) for various development schemes/projects/programmes of the government and the District Council.
- (9) It shall raise local resources for its own development.
- (10) It shall identify, prepare and implement village/town-based projects/schemes of the government and the District Council.
- (11) It shall train itself to monitor and evaluate projects/schemes of individuals, groups or town, village, and send its report to the concerned authorities.
- (12) It shall interact with credible Non-Governmental Organisations Government/Institutions including research institutions.
- (13) It shall facilitate Self-Help Groups, potential entrepreneurs and micro-enterprise, village associations for the youth and women.
- (14) It shall identify and select the beneficiary in various welfare schemes.
- (15) It shall prepare annual reports and audited statement of accounts.

**Roles, Powers and Functions
of the Executive Member of
the Village Development
Council and Town
Development Council.**

18.

- (1) The Chairman shall preside over the meetings of the Village Development Council or Town Development Council without any power to decide independently or unilaterally; and in the absence of the Chairman the Vice-Chairman shall preside over the meeting and in the absence of both the Chairman and Vice-Chairman the Village Development Council or Town Development Council can select any of its member to chair the meeting.
- (2) The Secretary shall maintain records of the proceedings, and shall prepare the Annual Reports and statement of accounts and shall submit the same to the Executive Council for placing the same before the General Council for deliberation, consideration and approval. In the absence of the Secretary the Joint Secretary shall perform the role of the Secretary.
- (3) The Treasurer shall prepare and submit quarterly account of all receipt and expenditure to the Executive Council for its verification. The Executive Council shall prepare annual statement of accounts and present the same at the meeting of the General Council for its approval.

- (4) The other Executive Members shall perform the roles and duties as may be empowered and entrusted by the Executive Council and the General Council.
- (5) The Chairman and the Secretary shall jointly sign all the documents and instruments on behalf of the Village Development Council or Town Development Council.
- (6) The Chairman and the Treasurer shall have the power to open the account and withdraw the money from the account on behalf of the Village Development Council or Town Development Council.

**Fund of the Village
Development Council
and Town Development
Council.**

19. For every Village Development Council or Town Development Council there shall be constituted a Village Development Council Fund or Town Development Council Fund bearing the name of the Village Development Council or Town Development Council and there shall be placed to the credit thereof:
 - (1) Contribution and grants, if any made by the central or the State Government or District Council;
 - (2) Loans, if any, granted by the Central or the State Government or District Council;
 - (3) All sums received as gifts or contribution and all income from any trust or endowment made in favour of the Village Development Council or Town Development Council;

**Meetings of the Village
Development Council and
Town Development Council.**

20. The Chairperson and the Secretary shall call the General Council of the Village Development Council or Town Development Council three times a year or as and when required or demanded by the villagers/residents.

**Conduct of Business and
Quorum of the meeting.**

21.
 - (1) The quorum to constitute a meeting of the General Council or the Executive Council shall be one third of the total number of members of the General Council.
 - (2) If at any time during a meeting of the General Council or the Executive Council there is no quorum, it shall be the duty of the Chairman, or person acting as such, either to adjourn or suspend the meeting until there is a quorum.
 - (3) The business which could not be considered at the meeting so adjourned for want of quorum shall be brought before and disposed of at the meeting so fixed.
 - (4) Save as otherwise provided by or under this Act, at every meeting of Village Development Council or Town Development Council, the Chairman or in his absence the Vice-Chairman shall preside.
 - (5) The voting, in any meeting of the Village Development Council or Town Development Council, if required shall be by raising of hands, except in the meeting where no-confidence motion is discussed where the matter will be secret ballot.

- (6) All questions shall unless otherwise specifically provided, be decided by a majority of votes the members present. The Chairman, Vice-Chairman presiding, as the case may be, unless he refrains from voting shall give his vote before declaring the number of votes for and against a question and in the case of equality of votes, he may give his casting vote.
- (7) No member of the Village Development Council or Town Development Council shall vote on, or take part in the discussion coming up for consideration at a meeting of the Village Development Council or Town Development Council if the question is one in which apart from its general application to the public, he has any pecuniary interest, and if the person presiding has such an interest he shall not preside over the meeting when such question comes up for consideration
- (8) If the person presiding is believed by any member present at the meeting to have any such pecuniary interest in any matter under discussion, and if a motion to that effect be carried, he shall not preside at the meeting during such discussion on vote on or take part in it. Any member of the Village Development Council or Town Development Council may be chosen to preside at meeting during its continuance of such discussion.
- (9) The proceedings of every meeting shall be recorded in the minutes book immediately after the deliberations of the meeting and shall, after being read over by the presiding authority of the meeting, be signed by him. The action taken on the decision of the Village Development Council or Town Development Council shall be reported at the next meeting. The minute's book shall be under the safe custody of the Secretary and in no circumstances shall be lost or misplaced.

Prohibitions.

22.

- (1) The Village Development Council and Town Development Council is prohibited to interfere into the customary rights, customary Dorbar, land administration, judicial power and administration, law and order power and function, roles, powers, functioning of the Dorbar Shnong or of the Chief and his Dorbar and of the Hima/Elaka.
- (2) The office bearers of the Village Development Council and Town Development Council are barred to give any documents like land documents, trade NOC, residential and character certificate to the residents and any other document which are normally issued by the Headman and the Dorbar Shnong or by the Chief and his Dorbar.
- (3) The office bearers of the Village Development Council and Town Development Council are barred to represent the Dorbar Shnong to any office or authority.

- (4) The Village Development Council and Town Development Council is prohibited to collect donation and tax from the villagers/residents without the approval of the Dorbar Shnong.
- (5) The Village Development Council and Town Development Council shall in no case try to disturb the customary functioning of the Dorbar Shnong and of the Chief and the Hima/Elaka.
- (6) The Village Development Council and Town Development Council shall in no case implement any developmental activities which involves utilization or uses of land within the village or town without the written consent and the No Objection Certificate from the Dorbar Shnong or from the Chief and his Dorbar.
- (7) The involvement of party politics which include participation of political parties in the election of the Village Development Council and Town Development Council is strictly prohibited.

**Announcement Notification
of Orders, Rules, Bye-laws,
Resolutions and Information.**

23. All orders, resolutions and any other information passed by the Village Development Council or Town Development Council shall be in writing and forthwith proclaimed or notified.

**Local Area Development
Planning Council and District
Development Planning
Council.**

- 24.
- (1) The Executive Committee shall constitute a Local Area Planning Council in every constituency to be headed by the Member of the District Council representing the constituency to consolidate the plans prepared by the Village Development Council and Town Development Council and to prepare a draft development plan for the Constituency as a whole.
 - (2) The Local Area Planning Council shall consist of the Member of the District Council representing the constituency as the Chairman, Chief(s) of the Elaka(s) which fall under such constituency and all the Chairman of the Village Development Council and Town Development Council. The Executive Committee may appoint any Officer as Secretary of the Local Area Planning Council.
 - (3) The Executive Committee shall constitute a District Development Planning Council to consolidate the plans prepared by the Constituency Planning Council, Village Development Council and Town Development Council and to prepare a draft development plan for the district as a whole.
 - (4) The District Development Planning Council shall consist of -
 - (i) The Chief Executive Member, Deputy Chief Executive Member, Executive Member i/c Finance, Executive Member i/c Development and other Member nominated by the Executive Committee.
 - (ii) In the cases where the plan for the constituency is consolidated the members representing the constituency and the Chief of the Elaka(s) which fall under such constituency shall be compulsorily be included as a co-opt member.

(iii) The District Development Planning Council may consult the respective Chairman and the Executive Council of the Village Development Council or Town Development Council while consolidate the development plan of the respective village or town.

(5) The Secretary, to the Executive Committee shall be the Secretary of the District Planning Committee.

Fund Allocation.

25.

(1) On and from the commencement of this Act, the Executive Committee, within the limit of its economic capability and subject to the availability of funds shall earmark a portion of its annual budget for the purpose of supporting the implementation of schemes and projects approved under this Act. All grants, funds, and other financial assistance received from the Central Government, State Government and/or any other agency for the purpose of socio-economic development and poverty alleviation shall be spent only in accordance with and to achieve the purpose of this Act.

(2) All funds, grants and other forms of monetary or financial assistance received from any source for the purpose of achieving the objects of this Act shall be treated to be part of the District Fund and be subjected to audit as per provisions of paragraph 7 of the Sixth Schedule to the Constitution of India.

Nodal Department.

26. The Nodal Department shall be the Development Department of the District Council.

Audit of Account.

27. Audit of the accounts under the Scheme shall be compulsory. Regular audit of accounts shall be done by Auditors. The audit by the Accountant General shall be carried out as per the rules in vogue. The Annual accounts shall be presented to the General Council.

Vigilance and Quality Assurance.

28. Independent Vigilance and Quality Assurance teams shall be constituted By the Executive Committee to monitor the implementation of the schemes.

Social Audit and Right to Information.

29.

(1) Social audit shall be taken up to make the planning, implementation and evaluation of schemes more participatory, transparent and accountable. The Social Audit shall be carried out in the General Council atleast once a year.

(2) An Information relating to the total estimate of the scheme, components of the scheme the details project report, copies of Muster Rolls of the scheme should be notified in the village and town Notice Board or Office.

(3) The Executive Council shall appoint one of its members as the Public Information Officer (PIO) for the Scheme, under the Right to Information Act. The Executive Committee shall, appoint an officer to be the appellate authority under the Scheme. The PIO shall

make available the copies of the documents as per the provisions of the RTI Act.

Monitoring and Evaluation. 30.

- (1) All the works shall be inspected by the officers appointed by the Executive Committee. The officer shall compile the report and submit to the Secretary of the Executive Committee quarterly and the Executive Committee. The Secretary shall place the same before the Executive Committee in its sitting.
- (2) The Executive Committee may impanel reputed agencies to carry out impact assessment. The Impact Assessment Reports shall be put before the Executive Committee. The Executive Committee shall take appropriate remedial measures based on the reports of the above studies.

Grievances Redressal Mechanism.

31. Any grievance shall be inquired and action initiated within 15 days by the officer appointed for the purpose. Details of all the grievances received and disposed should be maintained in the Grievance Register. Acknowledgement shall be given for any grievance received.

Appeals.

32.

- (1) Appeals against any order made by any authority under the provisions of this Act shall lie to the Executive Committee whose decision shall be final.

Provided that the Executive Committee may authorize any three of its Executive Members to exercise power or powers conferred upon him under the provisions of this Act. Anything heard, any act done or order passed by such members of the Executive Committee shall be deemed to have been heard, done or passed by the Executive Committee.

- (2) Every appeal made under this section shall be preferred by a party within one month from the date of the order appealed against. However delay, if any in filing the appeal beyond the period of one month may be condoned by the appellate authority on good and sufficient reasons shown by the appellant for such delay.

Review of Orders.

33.

- (1) The Executive Committee may, either on its own motion or on the application of any party interested, review any order passed by itself. Review and/or revise any order passed by any authority of the District Council acting under this Act and pass such order in reference thereto as it may deem necessary after affording hearing to all parties to be affected by such order of review/revision.#
- (2) No order shall be reviewed at the instance of any party except on the following grounds, viz. -
 - (i) Discovery of new and important matter of evidence having bearing to the subject which could not be produced earlier in spite of due diligence; or

- (ii) Some mistake or error apparant on the face of the record, or
- (iii) Any other sufficient reason for the ends of justice.

Removal of difficulties.

34. If any difficulty arises in interpreting or giving effect to any provision of this Act, the Executive Committee may as occasion requires, take any action not inconsistent with the provisions of this Act which may appears to it necessary for the purpose of removing such difficulty.

Power to make Rules.

35.

- (1) The Executive Committee may make rules with prior approval of the Governor for the purpose of carrying out the provisions of this Act. Such rules when published in the Gazette shall have the force of law.
- (2) Subject to the Rules made by the Executive Committee.

The Village Development Council or Town Development Council may make rule for the purpose of carrying out the duties and responsibilities under this Act.


Such rules shall be forwarded by the Dorbar Shnong through the Chief and in the area where there is no Dorbar Shnong it shall be forwarded by the Executive Council through the Chief for approval by the Executive Committee and until approved by the Executive Committee, they shall not have the force.

STATEMENT OF OBJECT AND REASONS

Whereas it has become expedient to streamline and to provide for an efficient Village and Town Development administration which is transparent, accountable and to strengthen the time tested Khasi system of democracy and social custom.

Hence this Act.

Certified that the above Act was passed by the Khasi Hills Autonomous District Council on the 10th November, 2021.


(Shri Pyniaid Sing Syiem)
Chairman,
Khasi Hills Autonomous District Council,
Shillong.

No. _____

I assent this Act.



SATYA PAL MALIK,
Governor of Meghalaya.

Dated Shillong, the 9th February, 2022.

APPENDIX I

1.	KHYRIM	-	SYIEMSHIP
2.	MYLLIEM	-	SYIEMSHIP
3.	NONGKHLAW	-	SYIEMSHIP
4.	SOHRA	-	SYIEMSHIP
5.	NONGSTOIN	-	SYIEMSHIP
6.	MAHARAM	-	SYIEMSHIP
7.	NONGSPUNG	-	SYIEMSHIP
8.	LANGRIN	-	SYIEMSHIP
9.	MAWSYNRAM	-	SYIEMSHIP
10.	MYRIAW	-	SYIEMSHIP
11.	RAMBRAI	-	SYIEMSHIP
12.	MAWIANG	-	SYIEMSHIP
13.	BHOWAL	-	SYIEMSHIP
14.	MALAI SOHMAT	-	SYIEMSHIP
15.	NOBOSOHPHOH	-	SYIEMSHIP
16.	JIRANG	-	SYIEMSHIP
17.	SOHIONG	-	LYNGDOHSHIP
18.	MAWPHLANG	-	LYNGDOHSHIP
19.	LYNGIONG	-	LYNGDOHSHIP
20.	MAWDON	-	SIRDARSHIP
21.	PAMSANNGUT	-	SIRDARSHIP
22.	NONGLWAI	-	SIRDARSHIP
23.	MAWLONG	-	SIRDARSHIP
24.	SHELLA	-	
	CONFEDERACY	-	WAHADADARSHIP

APPENDIX I (A)

1.	NONGMYNSAW	-	SYIEMSHIP
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APPENDIX II

1.	DWARA NONGTYRNEM	-	SIRDARSHIP
2.	WAHLONG	-	SIRDARSHIP
3.	JYRNGAM	-	SIRDARSHIP
4.	LAITLYNGKOT	-	SIRDARSHIP
5.	LAIKROH	-	SIRDARSHIP
6.	MYRDON	-	SIRDARSHIP
7.	MAWMLUH	-	SIRDARSHIP
8.	MAWBEH LARKHAR	-	SIRDARSHIP
9.	MAWSMAI	-	SIRDARSHIP
	NONGTHYMMAI		
10.	MARBISU	-	SIRDARSHIP
11.	MYNTENG	-	SIRDARSHIP
12.	NONGPOH	-	SIRDARSHIP
13.	NONGKROH	-	SIRDARSHIP
14.	NONGJRI	-	SIRDARSHIP

15.	NONGR1AT	-	SIRDARSHIP
16.	NONGSHLUID	-	SIRDARSHIP
17.	RIANGSIH	-	SIRDARSHIP
18.	NONGLANG	-	SIRDARSHIP
19.	NONGLYNGKIEN	-	SIRDARSHIP
20.	NONGLAIT	-	SIRDARSHIP
21.	RAMDAIT	-	SIRDARSHIP
22.	SAITSOHPEN	-	SIRDARSHIP
23.	SYNNEI	-	SIRDARSHIP
24.	SINAI MAWSHYNRUT	-	SIRDARSHIP
25.	SOHBAR	-	SIRDARSHIP
26.	TYRNA	-	SIRDARSHIP
27.	TYNRONG	-	SIRDARSHIP
28.	TYNRIANG	-	SIRDARSHIP
29.	UMNIUH – TMAR	-	SIRDARSHIP
