

THE AZAD JAMMU AND KASHMIR LOCAL COUNCILS  
(CONDUCT OF BUSINESS) RULES, 1963

(Passed under Government Order No. 98/63, Dated 5th March, 1963).

NOTIFICATION

In exercise of the powers conferred on it by section 86 of the Basic Democracies Act, 1960, read with clauses (2) and (3) of section 35 and clauses (1) and (6) of section 36 thereof, the Azad Government of the State of Jammu and Kashmir is pleased to make the following rules, namely:-

1. Short title and commencement:- These rules may be called the Azad Jammu and Kashmir Local Councils (Conduct of Business) Rules, 1963.

(2) They shall come into force at once.

2. Delegation of executive powers:- The executive powers of a local Council, with regard to the following matters, shall vest in and be exercised by the Chairman, that is to say:

(a) the execution of resolutions of the local council;

(b) the conduct of the day to day administration of the local council;

(c) the execution of contracts on behalf of the local council;

(d) the execution of works by the local council;

(e) the appointment, promotion, leave, transfer, punishment and removal of the staff of the local council whose pay does not exceed such limit as may be specified by the local council with the approval of the Controlling Authority;

(f) the supervision and control of the staff of the local council;

(g) the grant of licences, permits and sanctions;

(h) the operation of the Local Fund;

(i) the custody, maintenance, inspection, development and

improvement of the property vested in the local council;

(j) the acquisition, sale and disposal of property upto such limit

as may be specified by the local council with the approval of

the Controlling Authority;

(k) assessment, collection and recovery of taxes, rates, fees and other dues ;

(l) the receipt of amounts, on behalf of the local council;

(m) the incurring of expenditure on any single item, not exceeding such limit as may be specified by the local council with the approval of the controlling Authority;

(n) the custody and maintenance of records of the local council;

(o) the issuing of notices on behalf of the local council;

(p) the institution and defence of suits, complaints and other legal proceedings on behalf of the local council;

(q) the compounding of offences under the Basic Democracies Act, 1960 and the rules and by laws made thereunder;

(r) the conduct of correspondence on behalf of the local council;

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the custody of the common-seal of the local council; and

(t) the doing of such other acts as are declared by the controlling Authority to be executive acts to be performed by

the Chairman.

3. Disposal of business:- The business of a local council shall be disposed of:

(a) in cases covered by rule 2, by the Chairman; and

(b) in other cases, by the local council at its meetings or at the meetings of its committees.

4. Meetings of the local council:- (1) Ordinarily meetings of a local council shall be held at least:

(i) in the case of Union Council—once in a month ;

(ii) in the case of Tehsil Council—once in two months; and  
(iii) in the case of District Council—once in three months.

(2) The Chairman may, whenever he thinks fit, and shall upon a request in writing of not less than one-fourth of the members of the local council, call an emergent or a special meeting. If the meeting thus requisitioned is not convened, the members concerned may move the Controlling Authority and thereupon the Controlling Authority may convene the meeting at such time and date as it may specify by a notice addressed to all the members of the local council.

(3) Notwithstanding anything contained in these rules or any regulations for the time being in force the Controlling Authority may direct that any matter specified by him be considered by the local council within, a specified period and thereon the local council shall, consider such; matter within such period.

Every order of a local council:- (a) shall be expressed to be made in the name of the local council concerned ;

(b) shall be signed by the: Chairman, or the Secretary: or any- other officer authorised by the local council in this behalf; and

(c) shall be sealed with the seal of the local council ;

A copy of every resolution passed by a local council and a copy of every such order made by the Chairman as may be specified by the Controlling Authority shall be forwarded to the Controlling Authority within three days of the passing of the resolution or the making of the order, as the case may be.