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NOTIFICATION

No. H.12018/107/2000 – LJD/8, the 8th July, 2002. The following Act of the Mizoram Legislative Assembly which received the assent of the Governor of Mizoram is hereby published for general information.

The Mizoram Act No. 12 of 2002.

The Mizoram State Sports Council Act, 2002.

Received the assent of the Governor of Mizoram on the 1st July, 2002.

AN
ACT

to provide for promotion and development of games and sports in the State of Mizoram and for the constitution of Sports Council at the State level and matters connected therewith.

WHEREAS it is necessary and expedient to make provisions for the promotion and development of sports and games in the State;

AND WHEREAS it is expedient to constitute a Sports Council at the State level for securing greater measure of participation of the people in the sports and games and its promotion and to invest in such State Sports Council, such special powers for carrying out the objects aforesaid;

It is enacted by the Legislative Assembly of Mizoram in the Fifty Third Year of the Republic of India, as follows :-

CHAPTER – I
PRELIMINARY

- Short title 1. (1) This Act may be called the Mizoram State Sports Council (Amendment) Act, 2002.
- extent and commencement
- (2) In shall extend to the whole of the State of Mizoram.
- (3) It shall come into force from the date of publication in the Mizoram Gazette.
- Definitions 2. In this Act, unless the context otherwise requires :-
- (a) “Associations” means a duly constituted and registered State Level Sports Association of Mizoram, which has a written constitution adopted by its General body and approved by the Council ;
- (b) “administrative rules” means rules which are meant for office administration of Mizoram State Sports Council that requires Government approval ;
- (c) “Council” means the Mizoram State Sports Council ;
- (d) “district” means an administrative district(s) of the State of Mizoram ;
- (e) “Executive Committee” means the Executive Committee of Mizoram State Sports Council ;
- (f) “Government” means the Government of Mizoram ;
- (g) “member” means a member of the Mizoram State Sports Council ;
- (h) “regulation” means regulations made under this Act ;
- (i) “Selection Committee” means a committee duly constituted by the Mizoram State Sports Council for the purpose of recruitment and promotion of employees of the Mizoram State Sports Council. The Committee shall also have termination and dismissal of employees as its purview ;
- (j) “sport” shall include such activities recognised as outdoor games, athletics, field or country sports, indoor games, aquatic sports and such popular pursuits as horse racing, show jumping, cycling, motor racing, mountaineering, boat racing, rifle shooting, fencing, yoga and such other outdoor and indoor sports and games, chess, gymnastics, wrestling, weight-lifting, cycle,

polo and all Olympic disciplines and other physical activities which are approved as 'Sports' or 'Games' by the Mizoram State Sports Council ;

- (k) "Sportsmen" means one who participate in any sports or games and it shall include sportswomen;
- (l) "State" means the State of Mizoram ;
- (m) "technical rules" means rules relating to Sports or Voluntary Sports Organisations and sportsmen and matters connected with the games which are not subjected to Government approval.
- (n) "year" means the period commencing on the first day of April and ending on the last day of March of the following year ;
- (o) "Zone" means areas notified by the Mizoram State Sports Council as 'Zone' for the administration of games and sports ;

CHAPTER – II

ESTABLISHMENT OF STATE SPORTS COUNCIL AND FUNCTION

- Constitution 3. The Mizoram State Sports Council shall be constituted as under :-
of the Council
and its objectives
- (a) As soon as may be, after commencement of this Act, the Government may, by notification, constitute with effect from such date as may be specified in the notification, a State Sports Council to be called "The Mizoram State Sports Council" ;
 - (b) The objective of the Council are to plan and strive for all-round development of all games and sports in the State, to inculcate discipline, to build character, to promote team spirit and patriotism through games and to foster a spirit of comradeship between the different associations.
- Status of the 4. (1) The State Sports Council shall be a body corporate by the name
Council
- of the aforesaid Council having perpetual succession and common seal and shall have and exercise power subject to the provisions of this Act and the rules made thereunder, and with prior approval of the Government to acquire, hold and dispose of property, both movable and immovable and to enter into contracts and to do all such other things necessary for the purpose of carrying out its duties and functions and shall sue and be sued in the name of the Secretary, Mizoram State Sports Council.

- (2) The Mizoram State Sports Council shall be an autonomous body having constitutional powers to the extent as empowered by the provisions of this Act ;
- (3) It shall have power in the management of all its internal affairs, recognition of sports associations, internal discipline and administration, including appointment of its employees ; framing of administrative rules and technical rules and all other related matters such as tapping of income resources and its application thereof.

Powers and responsibilities of the State Government

- (1) The State Government may issue guidelines and directive within the broad frame-work of the Government policies relating to sports to the Council ; and it shall be the responsibility of the State Government to provide project funds and establishment charges of the Council by way of grant-in-aid to the Council as provided in this Act or the rules made thereunder.
- (2) The State Government may call for information relating to finance and account, including detailed expenditure incurred by the Council, from funds provided by the State Government.
- (3) The State Government may appoint auditors to audit the accounts of the Mizoram State Sports Council.
- (4) The Government, in consultation with the Council, may appoint Patron member(s) including Chief Patron from amongst the eminent Sports person(s) or high dignitaries. The patron member(s) shall have exclusive right to be informed of the affairs of the Council and to make suggestions for the improvement of the Council and its programmes, which may be given due weightage :

Members of the Council

6. The Mizoram State Sports Council shall consist of the following members, namely :-

- (A) (i) The Minister-in-charge of Sports Department shall be the ex-officio President of the Council.
- (ii) The Secretary to the Government of Mizoram, Department of Sports and Youth Services (or his representative) - Ex-officio Member
- (iii) The Director of Sports and Youth Services (or his representative) - Ex-officio Member

- (iv) The Joint Secretary to the Government of Mizoram, Department of Sports and Youth Services - Ex-officio Member
 - (v) The Joint Director of Sports and Youth Services - Ex-officio Member
 - (vi) One member each nominated by the recognised State Level Sports Association to represent such State Level Association.
 - (vii) The State Government shall have the right to nominate two other members as official nominees. Such official nominees may be drawn from different departments or Semi-Government organisations.
 - (viii) The State Government shall have the right to nominate three persons as non-official nominees. Such official nominees may be drawn from outstanding sportsmen or journalist or leading citizens or pensioners or women or university – teachers.
- (B)
- (i) The Council may induct one or more persons to represent ad-hoc State Level Associations, as co-opted members of the Council.
 - (ii) On similar principle, the Council may invite representatives of District Sports Committees, to attend the Council meeting.
 - (iii) The co-opted members or invitees shall not have the right to vote in cases of votes being taken on an issue, except with the permission of the meeting.
- Office Bearers of the Council
7. (1) The Council shall have office bearers as follows namely :-
- (a) One President
 - (b) One Vice President
 - (c) One Secretary of the Council
 - (d) One Financial Secretary
 - (e) One Joint Secretary
- (2) The Office-Bearers of the Council under sub-section (1) shall be filled up as follows :-
- (a) The Minister-in-charge of the Department of Sports shall be an ex-officio President of the Council.

- (b) The Vice President of the Council shall be elected by the members from amongst themselves.
- (c) The Government, in consultation with President of the Council, shall appoint Secretary from amongst the nominees of the Government (officials or non-officials) or from the representatives of the State level Associations, who amongst possess essential qualifications prescribed by rules for the post.
- (d) The Financial Secretary shall be appointed by the Government.
- (e) The Joint Secretary of the Council shall be elected by members of the Council from amongst themselves.

Powers of the President, Vice President and Secretary

- 8. (1) Save the except those as provided in this Act, the President and the Vice-President of the State Sports Council shall exercise such other powers as may be prescribed by regulations framed under this Act.
- (2) Subject to the supervision of the State Sports Council, the Secretary shall be the Chief Executive Officer and shall have general control and direction over the employees of the Council, as may be specified in this Act and in regulations framed under this Act.

Terms of the Council

- 9. (1) The term of the Sorts Council shall ordinarily be three years unless otherwise suspended or dissolved by the State Government earlier.
- (2) No other office bearers, except the President, shall hold office consecutively for more than two terms or six years in a row.

Terms of the members.

- 10. (1) Every member of the State Sports Council, other than the Chief Patron, and Patron, subject to the provisions of this Act and rules made thereunder, hold office for a period of three years.
- (2) If a representative member is recalled by the parent Association, before the expiry of three years term, the vacancy so caused by such recall shall be filled up by the fresh nominee of the Association concerned. The fresh nominee shall hold office for the remaining period of the on-going term only.
- (3) If any office bearer is recalled or resigned or terminated or ceased to be the member due to death, before the expiry of his term of office, the vacancy so caused shall be filled up in line with the provisions of this Act. The new office bearer shall hold office for the remaining period of the on-going term only.

Powers and Functions of the Council

11. The Council shall be the repository of all authorities in all matters and affairs of the council. It shall act as technical authority for all kinds of designs of sports infrastructures. It shall also act as Consultancy & Construction Agency for all Sports related works within the State. The specific powers and functions of the Council shall be:-

- (a) drawing up and implementation of plans and schemes for the promotion of sports and improvement of standard of sports and games, within the framework of the policies of the State Government or the Central Government ;
- (b) with the prior approval of the Government acquire, utilise, maintain and manage the sports facilities such as lands and buildings, playground, indoor stadia, open stadia, swimming pools etc. and to dispose of any such properties in the best interest of the State sports programmes and in accordance with the Rules made under this Act ;
- (c) initiating, undertaking, sponsoring and encouragement of studies and research for the development of sports and games in the Council ;
- (d) planning and construction, maintenance management of residential facilities for sportsmen and sports officials in the State;
- (e) holding, sponsoring, organising, arranging and management of tournaments, coaching camps, exhibition and promotional matches of its own, or through reliable agencies for the furtherance of its objectives ;
- (f) providing and giving technical and other assistance such as sports equipments and sports grants to sportsmen and sports officials ;
- (g) taking up of steps for the welfare of sportsmen, sports officials, veteran sportsmen and retired sportsmen and sports officials.
- (h) co-ordinating and liaising with sports Associations of other States in all matters of sports and games and its allied subjects ;
- (i) organising and conducting of sports seminar and conference in the field of sports and games.
- (j) advising the State Government on all matters relating to sports and games, sports promotion and development and to act as State Government agency in all cases ;
- (k) undertaking publication of sports journal and sports literatures ;
- (l) instituting, prizes and awards, scholarship, stipends and grants in furtherance of the objectives and to implement those objectives ;

- (m) raising of funds and to collect grants, gifts or donations from anybody, society or Government and with prior approval of the Government, to borrow funds or take loan from any sources or financial institution and to apply those funds for the acquisition or construction of assets and to dispose off any such movable or immovable properties in the best interest of the State sports development programmes, and to write off irrecoverable debts;
- (n) advising, guiding and coordinating all different sports organisations in the State and to act as liaison between them; to recognise and derecognise any Sports Associations and to give directions to them in respect of general sports policies and principles; and
- (o) do all such other act or and things including contract agreement as the Council may consider it necessary, conducive or incidental to the attainment, enlargement or implementation of the aforesaid objects or any one of them.

Executive Committee,
its term etc.

12. (1) There shall be an Executive Committee of the Council consisting of the followings :-
- (a) Office Bearers of the Council.
 - (b) Secretary to the Government of Mizoram, Sports and Youth Services Department.
 - (c) Joint Secretary to the Government of Mizoram, Sports and Youth Services Department.
 - (d) Director, Sports and Youth Services Department.
 - (e) Joint Director, Sports and Youth Services Department.
 - (f) Seven members of the Council representing recognised Associations to be nominated by the Council. Such seven members will be included by annual rotation in an alphabetical order of the Association duly represented by them.
- (2) The Executive Committee may invite any member or members of the Council for a particular purpose.
- (3) The term of the Executive Committee of the Council consisting of the office bearers shall be co-terminus with the Council, unless suspended or dissolved by the Government earlier and that of the seven other members nominated by the Council from members of the Council shall be for a period of one year by rotation.

- (4) The Executive Committee may constitute committee(s) or sub-committee(s) from amongst the members of the Executive Committee for a particular work or purpose. The term of such committee(s) shall not exceed the term of its Executive Committee.

Powers and
Functions of
Executive
Committee

13. The powers and functions of the Executive Committee shall be normally as follows :-

- (a) carrying out the main functions of the Council as per direction of the Council;
- (b) performing such other functions as may be specifically delegated to it by the Council;
- (c) considering and preparing the programme of work and to suggest to the Council plans for the development of sports;
- (d) consideration of the applications of membership to the Council and to make recommendations thereon to the Council;
- (e) examining of the accounts and to place them before the Council with such remarks or recommendations as it may wish to make;
- (f) making grants to member-association and other recognised associations or clubs, subject to directions of the Council;
- (g) taking actions as it may consider necessary in the cases of exigencies and to report such actions to the Council as its next meeting; and
- (h) authorizing any of its members to discharge a particular official work on behalf of the Committee.

Delegation of
Powers

14. The Council may delegate its authority to the Executive Committee or to any sub-committee formed for a particular purpose to the extent as may be specified by it in the order.

Meetings of
the Council
and quorum etc.

- (1) The Council shall ordinarily meet four times in a year. All other procedural matters of the Council meetings and committee and meetings shall be regulated separately.
- (2) Half plus one of the total number of members of the Council or any Committee including the Executive Committee shall form the quorum for a meeting of the Council or any committee including the Executive Committee, as the case may be.

CHAPTER – III

ELECTION

- Election of Office Bearers 16.
- (1) The Council may, as soon as may be, after its establishment and its general meeting, hold election of the Vice President, and the Joint Secretary from amongst themselves, in accordance with the provisions of this Act and the rules framed thereunder.
 - (2) All members, except the President of the Council and the appointed office bearers, shall be eligible for election and all members including the President and the appointed office bearers shall have the right to vote and each member shall have one vote only.
 - (3) Election shall be conducted under a secret ballot system as may be prescribed in the rules.
 - (4) There shall be no formal procedure of nomination of candidates for election, except expression of willingness in writing to stand for such election in the manner as may be prescribed by rules.
 - (5) A candidate securing the highest number of votes shall get elected provided he has secured at least one-third of the total votes cast, in the election.
 - (6) In the event of a candidate not securing one-third of the total votes cast, as prescribed in section 16(5), the members present shall elect from amongst the first two candidates who secured the highest number of votes, after eliminating other candidates, by means of another ballot.
 - (7) The presence of two-thirds of the total membership shall form an election quorum.
 - (8) Election of the Vice President, and the Joint Secretary of the Council shall be held within two months from the date of the constitution of the Council by the State Government.
 - (9) A notification regarding election of the office bearers of the Council shall be issued fixing the date, place and time of the election at least 30 days in advance.
 - (10) The President of the Council shall appoint a Returning Officer and two Polling Officers, not below the rank of Under Secretary to the State Government.

CHAPTER – VI

ROLE, FUNCTIONS, POWERS OF OFFICE BEARERS

- Powers and functions of the President
17. (1) The President Shall –
- (a) preside over all meetings and shall have power of casting a deciding vote in case of tie;
 - (b) have the power to approve or otherwise recommendation of the Selection Committee for appointment to any post under the Council, and he shall be the appointing authority;
 - (c) have power to delegate such powers vested in him to the Vice President in writing, as he may consider fit and proper; and
 - (d) have power to effect advance payment on items of approved annual programmes of the Council, to such extent as may be prescribed in the regulation made under this Act, subject to approval by the executive committee.
- Powers and Functions of the Vice President
18. (1) The Vice President shall –
- (a) perform the duties of the President whenever the President is not in a position to attend his duties and exercise such powers of the President as may be delegated in writing to him by the President.
 - (b) Officiate in the post of the President whenever the President is not in a position to discharge his duties due to illness or any other reasons, for a period exceeding 15 days; and
 - (c) be the Chairman of the Selection Committee of the Council, as mentioned in clause (j) of section 2 of the Act.
- Powers and Functions of the Secretary
19. (1) The Secretary shall –
- (a) be the officer in-charge of the Council Office and its programmes;
 - (b) be responsible for serving meeting notices, recording of notes of meetings and issuance of minutes of meetings to members and others concerned;
 - (c) be responsible for compilation of the Council programmes and annual plans;
 - (d) prepare draft annual budget and programmes of the Council;
 - (e) prepare Annual Report of the Council;

- (f) be responsible for the implementation of the Council's programmes;
- (g) be responsible for issuance of all official letters, orders, circulars, etc., on behalf of the Council;
- (h) co-ordinate various programmes of the State Level Associations and District Sports Committees, Zonal Sports Committees and Village Sports Committees;
- (i) control and accord sanction of funds in accordance with the approved annual programmes within the limit of financial powers delegated to him by the President of the Council ;
- (j) be the Member-Secretary of the Selection Committee, as mentioned in clause (j) of section 2 of the Act;
- (k) be responsible for all other works connected with the State Sports Council, which are not assigned or specifically vested in other office bearers of the Council;
- (l) be a link officer to the Government through whom all activities and functioning of the Council shall be discharged, all communications issued to the Government, and others and he shall be accountable to the Secretary, Department of Sports, Government of Mizoram; and
- (m) operate bank-accounts jointly or individually as the Council may decide.

Powers and 20.
functions of the
Joint Secretary

- (1) The Joint Secretary shall –
 - (a) assist the Secretary in all case where the Secretary may require assistance. He may also be entrusted with specific duties by the Executive Committee;
 - (b) act as the Secretary, in cases where the Secretary is not in a position to perform his duties for more than 15 days at a stretch.
 - (c) officiate as Secretary in case of vacancy until a new Secretary is appointed; and
 - (d) during his officiating period, exercise all powers and responsibilities and duties vested in the Secretary and be directly accountable to the Secretary.

- Powers and functions of the Financial Secretary 21. (1) The Financial Secretary shall –
- (a) maintain income and expenditure register;
 - (b) prepare financial statement whenever required;
 - (c) assist the Secretary in the preparation of budget, annual report and accounts;
 - (d) maintain essential registers reflecting funds received and disbursed by the Council;
 - (e) operate bank account under the joint signature with the Secretary if the Council so decide;
 - (f) be accountable to the Secretary.
- Honorarium, travelling and daily allowances 22. (1) The Office Bearers shall be entitled to such honorarium as may be fixed in consultation with the Government by the Council from time to time.
- (2) Notwithstanding anything contained in the foregoing provision, the Council may require any or all the office bearers as full time workers with suitable amount of honorarium as may be fixed from time to time in the like manner as provided in sub-section (1).
 - (3) The official tour expenses and daily allowance of the office bearers and members of the Council shall be at par with the rate admissible to the Group 'A' officers of the Government of Mizoram.
 - (4) All members of the Mizoram State Sports Council shall be entitled to sitting allowances as may be fixed by the Council from time to time in consultation with the Government.

CHAPTER – V

RESIGNATION, DISQUALIFICATION AND FILLING-UP OF VACANCY

- Resignation of Office Bearers 23. (1) Any Office Bearer may resign his post by submitting his resignation in writing as follows :-
- (a) In the case of the President, to the State Government;
 - (b) In the case of the Vice President, to the President; and
 - (c) In the case of other members, to the President or to the Vice President in the absence of the President, and if they are not in office, then to the Council or the State Government as the case may be.

- (2) Pending finalisation of such resignation, substitute shall be arranged by the Executive Committee.
- (3) The resignation submitted to the President or the Vice President, as the case may be, shall be accepted by him only with the recommendation of the Executive Committee.
- (4) All dues and liabilities, if any pending, shall be cleared before a resignation is accepted.
- (5) Any cases of irregularities, if detected after the resignation is accepted, pertaining to a particular portfolios of an Office Bearer, may be taken up in a Court of Law any time before the expiry of three years from the date of his resignation.
- (6) In cases of vacancy arising from any resignation or removal of disqualification, interim arrangement shall be made by the Executive Committee unless already provided in this Act.

Disqualifi- 24.
cation of
members

- (1) An ex-officio member shall stand disqualified from membership of the Council from the date the Government – whether Central or State – issues order relating to his transfer, suspension, retirement, termination or removal from the office, he was occupying.
- (2) Nominated members shall stand disqualified from membership of the Council from the date the State Government cancels or revokes their nomination.
- (3) Representative members shall stand disqualified from membership of the Council from the date of recall made by their respective Associations which the member represented.
- (4) All members of the Council except the ex-officio members, shall be liable to disqualification in respect of their post or membership to the Council if three-fourths of the total membership of the Council are in favour of his disqualification on grounds of corruption or misconduct of any kind or civil or criminal offences, or bad conduct involving moral turpitude or on other just and reasonable grounds : Provided that such a resolution shall be decided in the general meeting of the Council by a secret ballot system as may be provided in the rules under this Act.
- (5) A member or Office Bearer, on attaining the disqualification, shall automatically cease to continue as member or Office-Bearer with effect from the date of attaining the disqualification.

- Filling up of vacancies 25. All vacancies arising from death or resignation or any other reasons, during the relevant term, shall be filled up as under :-
- (a) The post of President shall be held by the Vice President who shall officiate the post until a new President is inducted.
 - (b) The post of the Vice President shall be officiated by interim Vice President, nominated by the Executive Committee from amongst the members of the Council, until a new Vice President is elected.
 - (c) The post of Secretary shall be officiated by the Joint Secretary till a new Secretary is appointed.
 - (d) The post of Joint Secretary shall be held by Secretary or Financial Secretary till a new Joint Secretary is elected.
 - (e) The duties of Financial Secretary shall be performed by the Joint Secretary in addition to his normal duties until a new Financial Secretary is elected.
 - (f) All vacancies shall be filled up within one month from the death or vacancy, by convening a special election meeting; and
 - (g) The newly elected office-bearers elected for the purpose of filling up the vacancies that arise due to death, resignation or disqualification of any office-bearers shall hold office for the un-expired terms of the office-bearers resigned or disqualified from membership or dead while in service.

CHAPTER – VI

POWERS OF THE GOVERNMENT OVER THE COUNCIL

- Right to address and power to give directions. 26. (1) The Government shall have the right to address the Council with reference to any work conducted or done by the Council and communicate to the Council.
- (2) The Government shall have the power to call for report on any action taken by the Council, if the same is required by the Government.
- (3) If the Council does not, within a reasonable time, take action to the satisfaction of the Government, the Government may, after considering any explanation furnished or representation made by the Council, issue any direction consistent with this Act, and the Council shall comply with such direction.

- (4) In the event of urgency, if the Government, feels that immediate action need be taken, the Government may take such action, consistent with this Act, as it deems necessary without prior consultations with the Council and shall forthwith inform the Council of such action taken.
- (5) The Government may, by order in writing, specifying the reasons thereof, suspend the execution of any resolution or order of the Council and prohibit the doing of an act ordered to be done by the Council, if the Government is of opinion that such resolution, order or act is in excess of the powers conferred upon the Council by or under this Act.
- Powers to suspend the Executive Committee 27. (1) Notwithstanding anything contained in this Act, the Government shall have the power to suspend the Executive Committee, if in the opinion of the Government, the Executive Committee has persistently defaulted in the performance of duties assigned on it by or under this Act.
- (2) In the event of suspension, all the members of the Executive Committee including the President shall cease to be members of the Executive Committee and shall be deemed to have vacated any office of the Board held by them.
- (3) In the event of such suspension of the Executive Committee the Government shall by an executive order appoint the President or any other person as the administrator of the Council, who shall exercise the power of the Council during the period of suspension.
- Power to dissolve the Council 28. (1) The Government may, by order in writing specifying the reasons thereof, dissolve the Council if the Government is of the opinion that the Council has failed to carry out its objectives or misused the powers conferred by or under this Act.
- (2) In the event of the dissolution of the Council, all assets and liabilities of the Council shall vest in the Government.

CHAPTER – VII

MATTERS RELATING TO EMPLOYEES OF THE COUNCIL

- Appoint-ment etc. of employees 29. (1) The Council shall appoint its employees by creating essential post with prior approval of the Government, to man the office of the Council.
- (2) All service matters including creation of post, appointment procedure, penalties and dismissal, and other service conditions such as pension, travelling allowance, provident fund etc., shall be as provided in the regulation. Till such time as the Regulation is not in force, the principles followed by the Government in the

matter of service conditions shall be followed in principle by the Council in respect of its employees.

CHAPTER – VIII

POWERS TO MAKE RULES AND REGULATIONS

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| Power to make rules | <p>30. (1) The State Government, may, make rules for carrying out any of the provisions of this Act.</p> <p>(2) In particular and without any prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :-</p> <p style="margin-left: 40px;">(a) the procedures to be observed for the nomination of the membership to the Council including prescription of essential qualifications for the post of Secretary as laid down in clause (c) of section 7;</p> <p style="margin-left: 40px;">(b) the procedure of election of office-bearers under section 16;</p> <p style="margin-left: 40px;">(c) the condition under which the member of the Council may be disqualified from his membership to the Council under section 24;</p> <p style="margin-left: 40px;">(d) the procedure for investment and other financial matters under section 36;</p> <p>(3) Every rule made under this section shall be laid as soon as, may be after it is made, before the Legislative Assembly of Mizoram, while it is in session for the total period of seven days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the sessions immediately following the session or the successive sessions aforesaid, the Legislative Assembly agree in making any modification in the rules or the Legislative Assembly agrees that the rules should not be made, the rules shall thereafter have effect, only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rules.</p> |
| Power to make Regulations | <p>31. The Council may, in consultation with the Government, make regulations not inconsistent with this Act or rules made thereunder, to provide for all, or any of the following matters, namely :-</p> |

- (a) honorarium of office bearers and other members of the Council under section 22, and
- (b) the procedures under which tour, leave travel concession, travelling allowance, daily allowance, sitting allowance of the members may be sanctioned or rejection of such claim under section 22;
- (c) creation of posts, recruitment or appointment of employees of the Council, and any other aspects of service matters under section 29.
- (d) any other matters connected with the activities of the Council's employees such as, provident funds, insurance schemes, incentive schemes, medical facilities, death-cum-retirement gratuities, pension or any matters connected with the services of the employees under the Council; various kinds of leave which the employees of the Council may avail under section 29.
- (e) the conditions under which the State and District Level Sports Association, District Sports Committee, Zonal Committee and Village Sports Committee may be formed, recognition and withdrawal of such recognition as provided in section 4;
- (f) regulation on players' registration or transfer, players' facilities and incentives, recognition of tournaments and sports clubs, sports meet and tournaments etc, as provided in section 11;
- (g) the procedure for which disciplinary measures may be taken against the members and to the employees of the Council and constituent organisations under the State Sports Council under section 11;
- (h) the procedure for management of assets created by the Council under section 11;
- (i) all other matters which are provided in this Act but require further elaboration or clarifications under section 11;
- (j) all internal administrative and procedural matters of the Council disciplinary actions, dismissal and other service matters under sub-section (3) of section 4;
- (k) any other matters which are conducive and essential for the furtherance of Council's objectives and improvements in sports administrations.

CHAPTER – IX

FINANCIAL MATTERS

- Maintenance of Account 32. Record of financial transactions shall be maintained in the manners as may be prescribed by the State Government.
- Audit 33. All Cash-books, Registers and Records involving financial transactions of the Council shall be subject to audit by Auditors appointed by the State Government.
- Annual Budget and Programmes 34. (1) The Secretary of the Council shall place before the general meeting of the Council, Annual budget and programmes of the Council showing details of income and proposed expenditure, for consideration of the Council.
- (2) The budget proposal shall be discussed in detail. Members may take proposal for change and amendment at this stage.
- (3) The budget estimated shall be adopted by the Council, before the same is forwarded to the Government for inclusion in the annual budget of the State.
- Government grants to Council 35. (1) The Government may, after considering the budget estimates, plans, programmes and accounts of the Council and such other reports as it may call for, make such annual and periodical grants to the Council, as may be decided by the Government.
- (2) Such annual and financial grants shall be drawn by the Council in lump-sum which shall be deposited into the account of the Council.
- Funds of the Council 36. (1) Funds received by the Council be classified as below :-
- (a) funds received from the State Government, Central Government or any other sources for the maintenance of office establishment, shall be deposited in the Bank under the head of account, 'Administrative Funds'.
- (b) funds received from the State Government, Central Government or any other sources for infrastructural development and promotional purposes, shall be deposited in the bank under the head of account, 'Project Funds'.
- (2) There shall be a reserved fund account to be maintained in the Bank, which shall not exceed one-third of the funds available under clauses (a) and (b) hereinabove. The reserved fund shall be set apart by the Council from any income of the Council, for meeting unavoidable expenditure arising from legal matters,

project exigencies and for meeting welfare expenditure, loan or advances to be paid for which there are no specified head of account. The reserved fund shall be applied only when any other possible resources are exhausted and with the approval of the Executive Committee only.

- (3) Any income derived by the Council from any sources, other than those funds classified under sub-sections (1) and (2) above, shall be credited into the miscellaneous fund account. Fees, sale and auction proceeds, rent, profit out of contract deal, contribution, gift or donations, interest, income, capital gains etc., received by the Council shall be deposited into miscellaneous fund account.
- (4) The Council acting through its Executive Committee shall utilize these funds for any purposes as the Executive Committee may think fit, and in the manner prescribed by the Council.
- (5) All these funds shall be appropriated and applied by the Council for the purpose they are granted and received and in the manners prescribed in the rules made under this Act. No diversion of fund shall be made except with the approval of the Council.

Annual Report 37. Annual report indicating financial and physical achievement shall be submitted to the State Government every year.

CHAPTER – X

AMENDMENT AND RESIDUAL MATTER

Amendment of Rules and Regulations 38. Any proposal for amendment of the whole or parts of the rules or regulations made under this Act, shall not be carried unless two-thirds majority of the Council approved of it.

Residuary provisions 39. In regard to matters not specifically covered by the provisions of this Act, rules or regulations made thereunder, such matters may be governed by the decision of the Government. In such a situation, the views of the Council shall be submitted to the State Government for consideration.

- Repeal and savings 40. (1) On and from the commencement of this Act, the Constitution if the then Mizoram State Sports Council framed and notified in the Government Gazette issue No. 27, Volume V, dated Aizawl, the 3rd September, 1977 shall stand repealed.
- (2) Notwithstanding such repeal, all actions taken or things done or purported to be done under the said constitution, shall be deemed to have been taken or done and purported to be done under the provisions of this Act.

P. Chakraborty,
Secretary, Law & Judicial Deptt.
Govt. of Mizoram.