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PART-IIA

OFFICE OF THE JAINTIA HILLS AUTONOMOUS DISTRICT COUNCIL,
JOWAI

NOTIFICATION

The 21st December, 2015.

No.JHADC/Leg/7/2015/15:- In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the District Council, Jaintia Hills Autonomous District is hereby published for general information: -

The Jaintia Hills Autonomous District (Establishment of Elaka and Village and Election, Appointment, Powers, Functions and Jurisdiction of Dolloi/Sirdar and Waheh Shnong) Act, 2015.

(Passed by the Jaintia Hills Autonomous District Council in the Budget Session held during March, 2015 and duly rectified and approved in the Emergent Special Council Sessions held on the 3rd June 2015 and further rectified and approved in the Emergent Special Session held on 21st December, 2015).

(Received the assent of the Governor on the 23rd December, 2015).

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The Jaintia Hills Autonomous District (Establishment of Elaka and Village and Election, Appointment, Powers, Functions and Jurisdiction of Dolloi/Sirdar and Waheh Shnong) Act, 2015.

**AN
ACT**

Preamble:-

Whereas the Elakas are the existing traditional provinces of tribal administration of the indigenous tribes of Jaintia Hills in the State of Meghalaya and whereas the Dorbar Shnong within such Elakas are traditional units of Village administration of the indigenous tribes of these hills from time immemorial.

AND

Whereas the Dolloi/Sirdar is the traditional customary chief and principal functionary and head of the Elaka and the Waheh Shnong is the principal functionary and head of the Village within the Elaka and the elections and appointments to the office of the Dolloi/Sirdar and Waheh Shnong are being made from time to time by the respective Elakas and the respective Dorbar Shnong under the care and supervision of the District Council.

AND

Whereas it is expedient to make provisions for the establishment of Elaka and Village and the regulation of powers, functions and jurisdiction of these functionaries including their elections and appointments as the Dolloi/Sirdar and Waheh Shnong as the case may be in the administration of the Jaintia Hills Autonomous District as envisaged in the Sixth Schedule to the Constitution of India.

Now, the District Council of the Jaintia Hills Autonomous District in exercise of the powers conferred upon it to make law under Clauses (e) for the establishment of Village or Town Committees and their powers, (f) matters relating to Village or Town administration, (g) the appointment or succession of Chiefs or Headmen and (j) Social Customs of Sub paragraph (1) of Paragraph 3 of the Sixth Schedule to the Constitution of India and other powers enabling it on that behalf hereby make the following Act for the assent of the Governor in their application to the Jaintia Hills Autonomous District in the manner hereinafter appearing.

It is hereby enacted in the **SIXTY SIXTH YEAR OF THE REPUBLIC OF INDIA** as follows: -

1. Short title, extent and commencement:-

- (1) This Act may be called the Jaintia Hills Autonomous District (Establishment of Elaka and Village and Election, Appointment, Powers, Functions and Jurisdiction of Dolloi/Sirdar and Waheh Shnong) Act, 2015.
- (2) It shall extend to the whole of Jaintia Hills Autonomous District.
- (3) It shall come into force at once.

2. Definition:- In this Act, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say :-

- (1) "Adult" means a person who has attained the age of 18 (eighteen) years residing in the village within the Elaka.
- (2) "Custom" with reference to any Elaka means any rule, practice or usage relating to the election and appointment of a Dolloi/Sirdar and Waheh Shnong for that Elaka which having been continuously and uniformly observed, practiced and has obtained the force of Law in that Elaka.
- (3) "Customary Functionaries", means "Lyngdoh" or "Pator" or "Sangot" or "Basan" or any others who are appointed as such by the Dolloi and his Dorbar according to custom and recognised as such by the Executive Committee.
- (4) "District" means the Jaintia Hills Autonomous District.
- (5) "District Council" means the Jaintia Hills Autonomous District Council.
- (6) "Dolloi" or "Sirdar" means a Traditional Customary Chief of the Elaka elected as such under the provisions of this Act.
- (7) "Dorbar Elaka" means a Customary Dorbar comprising of all the adult persons of the Elaka and recognised as such by the Executive Committee.
- (8) "Dorbar Shnong" means a Dorbar Shnong comprising of all the adult residents of the village, constituted by the Dolloi/Sirdar of the Elaka and recognised by the Executive Committee.
- (9) "Elaka" means the traditional province and include Sirdarship specified in Appendix – I or any other Elaka as may be created and declared as such by the Executive Committee under the provisions of this Act.

- (10) "Election" means an election to the office of Dolloi/Sirdar and Waheh Shnong.
- (11) "Eligible Clan" means such a clan or clans specified in Appendix – II which according to the prevailing customs in the respective Elaka is/are eligible to hold the office of Dolloi/Sirdar.
- (12) "Executive Committee" means the Executive Committee of the Jaintia Hills Autonomous District Council.
- (13) "Executive Dorbar" means a committee consisting of the Dolloi/Sirdar and other members from amongst the people of the Elaka as may be selected by the Dorbar Elaka and approved by the Executive Committee.
- (14) "Executive Member" means a Member of the Executive Committee.
- (15) "Indigenous Tribes" means the tribes inhabiting Jaintia Hills from time immemorial, namely; Pnar, Khasi, War, Bhoi, Biate, and Hmar (native of Khaddum and Sialkan Villages).
- (16) "Local Authority" means a Municipal Board, Town Committee or Cantonment Board or any other local authority or body created or as may be created by the State or Central Government or Autonomous District Council.
- (17) "Offence" means an offence under the Indian Penal Code or any other law for the time being in force in India and includes offence involving moral turpitude.
- (18) "Office of Profit" means an office held under the State or Central government or Autonomous District Council or Municipality or Local Authority or Corporate body, to which any Pay, Salary, Emolument or allowance is attached.
- (19) "People of the Elaka" means such persons who are bonafide residents in the Elaka.
- (20) "Puja Land" means a revenue free land held and cultivated by a Dolloi/ Sirdar or any of the Customary functionaries and the yield or income there-from is utilised for meeting the expenses connected with the religious performances according to customs of the Elaka.
- (21) "Reserved forest" means forest reserved by the Elaka or Village such as Khloo Kyntang, Khloo Lyngdoh, Khloo Niam and Khloo Shnong excluding protected forest of the District Council and State reserved forest.

(22) "Returning Officer" means an officer appointed by the Executive Committee to perform the duties and functions for conducting the election of a Dolloi/ Sirdar in any Elaka.

(23) "Sanad" means an instrument issued by the Executive Committee specifying the terms and conditions of the appointment of a Dolloi/Sirdar and Waheh Shnong as specified in Appendix – III and Appendix – IV respectively.

(24) "Service Land" means a revenue free land (Rek) held and cultivated by the Dolloi/Sirdar or by any Customary functionary of the Elaka as remuneration for the services rendered by him to the Elaka.

(25) "Village" means an inhabited area (including Urban Locality or Dong within the town) having clear demarcation and boundaries of its jurisdiction as confirmed by the Dolloi/Sirdar of the Elaka and approved by the Executive Committee.

(26) "Waheh Shnong" means a person duly elected as the Waheh Shnong by the Dorbar Shnong and recognised as such by the Executive Committee.

3. (1) Establishment of Elaka and their territories:-

(a) The existing Elakas as specified in Appendix – I of this Act constitute the Elakas within the Jaintia Hills Autonomous District.

(b) The Executive Committee shall from the date of enforcement of this Act, issue a public notification in the gazette of Meghalaya relating to the area and boundaries of each Elaka specified in Appendix – I. Such notification shall also include the names of the villages comprising in each and every Elaka.

(c) Any boundary dispute of the Elaka shall be referred to and decided by the Executive Committee and the decision of the Executive Committee shall be final.

(d) No Civil Court shall have jurisdiction to try any suit or case relating to boundary disputes between Elakas.

(2) (a) The Executive Committee with the approval of the District Council in Session shall have the power to create a new Elaka by including or excluding any village or villages from the existing Elaka specified in Appendix – I.

(b) The Executive Committee shall, for creation of new Elaka ascertain the wish of the majority of the people residing in those villages of the need for having or creating new Elaka to bring the administration closer to the people.

- (c) The Executive Committee shall issue a public notification in the gazette of Meghalaya the creation of a new Elaka with its area, boundaries and the names of the villages comprising in such Elaka.

Provided that the name of such newly created Elaka shall accordingly be inserted in the schedule of Elaka in Appendix-I.

- (d) The Executive Committee shall have the power to make rules for the mode and method of election relating to electorate, candidature, tenure of office and other related matters therewith.

Provided that the rules framed by the Executive Committee shall not contravene or in contrary to the provisions of this Act as regard to the powers and functions of the Dolloi/Sirdar.

Provided further that the Rules framed by the Executive Committee shall come into force only after due approval of the District Council in its Session.

- (e) The Executive Committee shall have the power to appoint an Acting Dolloi/Sirdar of the newly created Elaka and thereafter to conduct an election to the office of the Dolloi/Sirdar within a period of six months from the date of notification of the creation of such Elaka.

4. Election of the Dolloi/Sirdar:-

- (1) Whenever a vacancy occurs in the office of a Dolloi/Sirdar of any Elaka specified in Appendix- I the Executive Committee subject to the provisions of this Act and the Rules made thereunder shall call upon the concerned Elaka to elect a Dolloi/Sirdar in accordance with the existing custom and tradition prevailing in that Elaka and such Election shall be conducted by the Returning Officer to be appointed and empowered by the Executive Committee in this matter.

Provided that voting at such Election conducted by the Returning Officer under sub-section (1) above shall be by Secret Ballot.

- (2) Only persons from among eligible clans of the respective Elaka as specified in Appendix – II shall be eligible to contest in an Election under sub-section (1) above.
- (3) The Returning Officer shall declare the result within a week from the date of polling and report in writing the result of such Election under sub-section (1) above to the Executive Committee for its information and necessary action.

5. Appointment of the Dolloi/Sirdar:-

Eligible Candidate who secured the majority of valid votes polled in the election conducted under sub-section (1) of section 4, and on the basis of the result declared under sub-section (3) of section 4 of this Act, shall be appointed by the Executive Committee as "Dolloi" or "Sirdar". The Executive Committee shall issue a Sanad within 30 (thirty) days from the date of declaration of the result of the election under such terms and conditions as specified in Appendix- III to be signed by the Executive Member incharge of the Elaka Administration.

6. Confirmation of Dolloi/Sirdar:-

All appointments of a Dolloi/Sirdar shall in accordance with Rule 29 or 30 of the Assam and Meghalaya Autonomous Districts (Constitution of District Councils) Rules, 1951 as adopted and amended, as the case may be, be placed by the Executive Committee before the District Council which may confirm the appointment under the terms and conditions as may be specified in the Sanad or which it may by notification from time to time provide. Such terms and conditions shall among others provide for:-

- (1) the remuneration;
- (2) the relation with the District Council and or with the Elaka;
- (3) the manner in which the administration of the Elaka will be carried out by them;
- (4) the manner in which the fund of the Elaka is to be managed by them;
- (5) the Code of conduct.

Provided that pending the adoption of such terms and conditions, the existing terms and conditions under which the exiting Dolloi/Sirdar were appointed shall continue to be in force.

Provided further that the terms and conditions that may be provided by the District Council under this section shall immediately apply to all existing Dolloi or Sirdar.

7. Term of Office of the Dolloi/Sirdar

- (1) The Dolloi of an Elaka shall hold office for life.
- (2) The Sirdar of Saipung Sirdarship shall hold office for a period of five years.

- (3) The Elaka created under Section 3(2) shall have the Sirdar who shall hold office for a minimum period of 5 years and not more than 10 years but eligible for re-election.

8. Qualification of Candidate for Election as a Dolloi/Sirdar:-

A person shall not be qualified to be elected and appointed as Dolloi/Sirdar unless:-

- (1) He is a native and a resident of the Elaka.
- (2) He attains the age of 25 (twenty five) years and above.
- (3) He is a member belonging to the eligible clan for holding the office of a Dolloi/Sirdar of the Elaka. However this Sub-section shall not apply in case of election of Dolloi/Sirdar of the newly created Elaka.
- (4) He is a person of sound mind.
- (5) He is not de-barred from contesting the election on the ground of any offence committed by him which renders him unfit to uphold the existing tradition and custom prevailing in the Elaka.

9. Disqualification of Candidate for Election of the Dolloi/Sirdar:-

A person shall be disqualified from being elected and appointed as Dolloi/Sirdar of the Elaka if:-

- (1) He holds any office of profit.
- (2) He is of unsound mind and stand so declared by a competent court or such other authority as may be recognised by the Executive Committee.
- (3) He is an un-discharged insolvent.
- (4) Whether before or after the commencement of this Act he has been convicted of an offence under the Indian Penal Code or under the Criminal Procedure Code or under any other Law for the time being in force in India or of any offence involving moral turpitude.
- (5) He has been dismissed from service under any Government or Autonomous District Council or Local Authority or Corporate Body.

- (6) He is a member of the Parliament or State Legislature or District Council or Local Authority.

10. Dispute regarding Election of Dolloi/Sirdar:-

- (1) If any dispute arises regarding any matter relating to or connected with the election of Dolloi/Sirdar, the aggrieved party or parties concerned shall within 30 (thirty) days after publication of the result of the election in sub-section (3) of section 4, refer the dispute to the Executive Committee by a petition filed to the Secretary of the Executive Committee. The Executive Committee shall dispose of the matter within 60 (sixty) days.

Provided that the Executive Committee shall give due opportunity of being heard to the parties.

- (2) (a) An appeal against the decision of the Executive Committee shall lie to a Tribunal constituted by the Executive Committee for the purpose and the Tribunal shall dispose of the matter as early as possible and shall not ordinarily exceed six months from the date of receipt of the case records and the decision of the Tribunal shall be final.

(b) Any appeal before the Tribunal shall be filed to the Secretary, Executive Committee within 30 (thirty) days after the order of the Executive Committee is communicated to the party or parties concern.

(c) The Executive Committee shall constitute the Tribunal and also send the case records to it within 30 (thirty) days from the date of receipt of such appeal.

11. Removal and Suspension of a Dolloi/Sirdar:-

- (1) The Dolloi/Sirdar of the Elaka may be removed or suspended from office by the Executive Committee, if in its opinion:-

(a) he violates any of the terms and conditions of his appointment;

OR

(b) he violates any of the law, regulations, rules and the resolutions of the District Council;

OR

(c) he refuses to carry out the instructions issued by the Executive Committee;

OR

(d) he violates any customary rights and practices prevailing in the Elaka;

OR

- (e) he is found to have oppressed his people or misruled his Elaka;
OR
- (f) he is found to be mentally unfit to carry out his functions;
OR
- (g) he has been convicted of an offence and sentenced for not less than 6 (six) months imprisonment;

OR
- (h) he is an undischarged insolvent;

OR
- (i) the majority of the adult persons of his Elaka present in the meeting or Dorbar convened for the purpose of ascertaining the wishes of his people, have expressed their views, in any manner as may be approved by the Executive Committee, that, they have lost confidence in him;

OR
- (j) the majority of the voters of his Elaka who cast their votes, on the referendum convened for the purpose of ascertaining the wishes of his people, have voted against him;

OR
- (k) he is found incapable of carrying on the administration, due to his ill health, old age or habitual drunkenness or does not reside within the Elaka;

OR
- (l) he is found to have been conducting himself in a manner derogatory to his office or prejudicial to the interest of the Elaka or any part thereof;

OR
- (m) he is found to have been conducting himself in a manner which may undermine the authority of the Executive Committee or the District Council.

Provided that no Dolloi/Sirdar shall be removed from office unless he is given an opportunity of being heard.

- (2) Notwithstanding anything contained in sub-section (1) above the Executive Committee may suspend the Dolloi/Sirdar if in its opinion he is liable for taking action under any of the clauses of sub-section (1) above and the order passed by the Executive Committee in such cases shall be final.
- (3) Every case of removal or suspension shall be placed by the Executive Committee before the District Council in its next session.
- (4) An appeal against any order passed under sub-section (1) above shall lie to the Tribunal constituted by the Executive Committee in the manner laid down in sub-section (2)(c) of section 10 for the purpose whose decision shall be final. Such appeal shall be filed to the Secretary of the Executive Committee within 30(thirty) days from the date the order is communicated or known to the party or parties concerned.
- (5) Notwithstanding anything contained in the proviso to sub-section (1) above the executive Committee shall have the power to :-
- (a) pass an order of removal or punishment or suspension on account of conviction of any offence.
 - (b) pass an order of suspension pending initiation of enquiry proceeding.
12. Notwithstanding anything contained in this Act, any Dolloi/Sirdar who has been removed from office under Sub-section (1) of Section 11 shall not be eligible for re-election to the office of Dolloi/Sirdar.
13. **Taking over of the Elaka Administration by the Executive Committee.**
- If at any time the office of a Dolloi/Sirdar is vacant under the provisions of this Act, the Executive Committee shall have the power to take over immediately the administration of the Elaka and appoint any officer of the District Council to look after the administration of the Elaka until the Acting Dolloi/Sirdar is appointed and such period shall not be more than 2 (two) months.
14. **Appointment of Acting Dolloi/Sirdar:-**
- (1) The Executive Committee shall appoint any adult male person of the Elaka as Acting Dolloi/Sirdar to exercise all the powers and functions of Dolloi/Sirdar. Such Acting Dolloi/Sirdar shall hold the office for the period of not more than 6(six) months or at the pleasure of the Executive Committee.

- (2) The Executive Committee shall complete the election to the office of the Dolloi/Sirdar within a period of 9 (nine) months from the date the office of the Dolloi/Sirdar becomes vacant.

15. A Dolloi/Sirdar suspended or removed from Office forfeit his right to cultivate and enjoy Service and Puja Lands:-

A Dolloi/Sirdar who has been suspended or removed from Office under section 11 shall be deemed to have no more right to use and cultivate the Service or Puja lands and such land shall revert and shall be deemed to have been reverted to the Executive Committee, with effect from the date a Dolloi/Sirdar was suspended or removed from Office. The Executive Committee may either lease it out in any manner it deems fit and proper or keep it through its representative or agent until a Dolloi/Sirdar is reinstated or a new Dolloi/Sirdar is appointed.

Provided that in case of any Service land or Puja land in which the Dolloi/Sirdar so removed or suspended has actually prepared such land for the purpose of cultivation or has incurred expenditure on this account the same may be allowed to be cultivated by him till the crops growing on the land have been completely harvested. The Acting Dolloi/Sirdar or any person appointed as a Dolloi/Sirdar shall be entitled to the benefit of such service Land or Puja Land only at the close of such harvest season.

Provided further that in case the office of a Dolloi/Sirdar remains unfilled for reasons to be recorded in writing, the Executive Committee shall be at liberty to temporarily lease out such land for cultivation to any person for a sum and for a period as it may determine. Such sum shall be credited to the fund of the District Council.

Provided further that if at any time the Dolloi/Sirdar is not performing any religious functions within the Elaka, he shall not be entitled to hold and cultivate the Puja land.

16. Establishment of Dorbar Elaka.

- (1) The Elaka headed by the Dolloi/Sirdar shall have a Dorbar Elaka comprising of all the adult persons of the Elaka. Such Dorbar Elaka shall be recognized by the Executive Committee.

Provided that the Dorbar Elaka may appoint sufficient members of representatives for each and every village to represent the village to the Dorbar Elaka.

- (2) The Dorbar Elaka in its meeting convened for the purpose shall appoint the office bearers comprising the following:-

- (a) Chairman
- (b) Secretary
- (c) Asst. Secretary
- (d) Treasurer
- (e) Not less than 10 (ten) Members which should include not less than 3 (three) women members.

- (3) The Dolloi/Sirdar shall be the Chairman of the Dorbar Elaka.
- (4) The Dolloi/Sirdar shall submit the names, designations and address of all the office bearers and members of the Dorbar Elaka every year to the Executive Committee for its recognition and notification.

17. Executive Dorbar:-

- (1) The office bearer including the members so appointed by the Dorbar Elaka and recognized by the Executive Committee shall be the Executive Dorbar to run the day to day administration of the Elaka.
- (2) The Executive Dorbar shall have the power to select or nominate a Vice-Chairman from amongst the members who will preside and run the Dorbar as and when the Chairman is absent.
- (3) The Executive Dorbar shall carry out and implement all the resolutions, decisions and any matter connected with the affairs of the Elaka.
- (4) The Executive Dorbar shall be responsible for holding the Dorbar Elaka once in a year or as may be required from time to time.
- (5) The Executive Dorbar shall be accountable to the Dorbar Elaka for all its action and inaction.

18. Powers and Functions of the Dolloi/Sirdar :-

Subject to such rules as may be made in this behalf by the Executive Committee, the following shall be the powers and functions of the Dolloi/Sirdar within his Elaka:-

- (1) To look after the administration of the Elaka diligently and efficiently and in accordance with the Jaintia Hills Autonomous District (Establishment of Elaka and Village and Election, Appointment, Powers, Functions and Jurisdiction of Dolloi/Sirdar and Waheh Shnong) Act, 2015, and to abide to the Rules and Regulations of the District Council.

- (2) To convene the Dorbar Elaka at least once a year. In the event of emergencies, the Dorbar Elaka may be convened oftener than what has been provided in this Act.
- (3) To look after the boundary of the Elaka at all times and to report to the Executive Committee any dispute in any matter with any neighbouring Elaka.
- (4) To conserve and protect the reserved forest and to promote the establishment of new reserved forest.
- (5) To adjudicate and decide the civil and criminal cases as empowered under the Rules of the United Khasi-Jaintia Hills Autonomous District (Administration of Justice) Rule, 1953 as adopted and amended or any other rules as the District Council may from time to time enact.
- (6) To recommend to the Executive Committee the establishment or bifurcation or amalgamation of village(s).
- (7) To conduct the election to the office of Waheh Shnong and to report the same to the Executive Committee.
- (8) To constitute the Dorbar Shnong of every village.
- (9) To supervise the administration of villages.
- (10) To settle the boundary disputes between the villages amicably and if fails to do so to report to the Executive Committee.
- (11) The Dolloi/Sirdar shall have the power to recommend the issuance of Land Holding Certificate/Patta or the registration of forest or mutation of name of the said documents by the Revenue Officer/ Land Records & Settlement Officer of the District Council to the land owner/land holder in accordance to the prevailing customs and usages of the Elaka.

Provided that the Dolloi/Sirdar shall submit such recommendation after due and proper spot enquiry and verification and such recommendation is to be accompanied by a document indicating that proper enquiry and verification has been made by the Dolloi/Sirdar.
- (12) To cause such areas to be set aside for the growth of trees to supply building timber and firewood to the inhabitants of the Elaka. Also to take efficient measures to secure these areas against destruction by fire and by jhuming.

- (13) The Dolloi/Sirdar shall have the right and power to cultivate the Service Land as remuneration for the service rendered by him to the Elaka, and to cultivate the Puja Land for meeting the expenses connected with the religious performances according to customs of the Elaka.
- (14) To apprehend/arrest any person(s) who catches or kills any aquatic life by poisoning or using of explosives in any river or water bodies situated within the Elaka and to immediately report the matter to the Executive Committee or to the concern authority.
- (15) To apprehend/arrest any person(s) who illegally felled or removed any forest produce without the permission of the District Council and to immediately report the matter to the District Council or to the concern authority.
- (16) Any other powers and functions as may be delegated by the Executive Committee from time to time.

19. Prohibitions:-

The Dolloi/Sirdar of the Elaka shall not in any form or manner arbitrarily decide or act or impose or condone or incite any of the followings without the approval of the Dorbar Elaka and the Executive Committee:-

- (1) Lease or transfer or mortgage or allow to be leased or transferred or mortgaged any land or lands or forest in the Elaka to non tribal person(s).
- (2) Issue No Objection Certificate or permission to survey or use any land or lands or forest whether private or public property, to any Corporate body without the approval of the Dorbar Elaka and without the knowledge and approval of the Executive Committee.
- (3) Notwithstanding anything contained in sub-sections (1) and (2) above the Dolloi/Sirdar of the Elaka may in respect of the Government projects meant for the welfare of the people facilitate the lease or transfer or mortgage of such land or issue such No Objection Certificate or permission to any Government authority with due consent of the Dorbar Elaka and approval of the Executive Committee.
- (4) Not to transfer Puja Land or Service Land to any person or persons.

20. Establishment of Village:-

- (1) Subject to the provisions of this Act, the existing villages within the Elaka shall be deemed to be the villages established and constituted for the purpose of this Act.
- (2) (a) The Executive Committee shall have the power to establish or bifurcate or amalgamate village(s) or alter boundaries between the villages within Elaka subject to the fulfillment of the following criteria;
 - (i) the area shall have not less than 20 (twenty) households and not less than 50 (fifty) adult inhabitants;
 - (ii) a definite name with definite and contiguous geographical area;
 - (iii) the scope for geographical growth and expansion in the future.
- (b) That no village shall be established by the Executive Committee without obtaining prior recommendation and confirmation of the needs and necessities of such village from the Dolloi/Sirdar of the Elaka.
- (c) The Executive Committee shall notify the creation of and establishment of new village within the Elaka to all concerned authorities.
- (3) (a) If any dispute arises regarding any matter relating to or connected with the establishment or bifurcation or amalgamation of village(s) or alteration of boundaries between the villages within Elaka, the aggrieved party or parties concerned shall within 30 (thirty) days after notification of such establishment or bifurcation or amalgamation of village(s) or alteration of boundaries between the villages refer the dispute by a petition, to the Tribunal constituted by the Executive Committee for the purpose and the Tribunal shall dispose of the matter within 60 (sixty) days.

Provided that the Tribunal shall give due opportunity of hearing to the parties.

- (b) The Executive Committee shall constitute the Tribunal and also send the case records to it within 30 (thirty) days from the date of receipt of such petition.

21. Establishment of Dorbar Shnong:-

- (1) There shall be a Dorbar Shnong for each village comprising of all the adult residents of the village. The Dorbar Shnong headed by the elected Waheh Shnong shall be

constituted by the Dolloi/Sirdar of the Elaka and recognised by the Executive Committee.

(2) The Dorbar Shnong shall have the following office bearers : -

- (a) Waheh Shnong
- (b) Assistant Waheh Shnong.
- (c) Secretary
- (d) Assistant Secretary
- (e) Treasurer

(3) The Dorbar Shnong may if required, appoint a Chairman Shnong who will preside over the meeting of the Dorbar Shnong.

(4) The Dorbar Shnong shall also appoint Auditors who shall not be members of the Executive Body.

22. Executive Body of the Dorbar Shnong:-

(1) The Dorbar Shnong duly constituted shall have an Executive Body consisting of all its office bearers and not less than six but not more than twelve members of which one third of the members shall be women to run the day to day administration and affairs of the village.

(2) The Executive Body shall carry out and implement all the resolutions and decisions of the Dorbar Shnong.

(3) The Executive Body shall be accountable to the Dorbar Shnong for all its action and inaction.

23. Election of Waheh Shnong:-

(1) Subject to the provisions of this Act and the rules made thereunder, a Waheh Shnong shall be elected by the Dorbar Shnong.

(2) If the election of Waheh Shnong is not unanimous the Dolloi/Sirdar shall have the power to conduct the election either by secret voting or raising of hands.

Provided that the meeting for the purpose of election of Waheh Shnong under Sub-section (2) above shall have a quorum of not less than half of the adult residents of the village.

(3) The election shall be conducted in the presence of the Dolloi/Sirdar or his representative.

24. Term of office of Waheh Shnong:-

The term of office of the Waheh Shnong shall be determined by the Dorbar Shnong itself and such term shall not be less than one year or more than a period of three years at a time.

25. Qualification of Candidate for Election as Waheh Shnong:-

A person shall be eligible to be elected as Waheh Shnong if:-

- (1) He is a resident of the Village belonging to the indigenous tribe for not less than five years.
- (2) He attains the age of 25 years and above.
- (3) He is not convicted of any offence and sentenced for not less than 6 (six) months imprisonment.
- (4) He is not a Member of District Council.
- (5) He is not an employee of the District Council.

26. Confirmation and Appointment of Waheh Shnong:-

The Dolloi/Sirdar shall confirm the election of Waheh Shnong and shall forthwith send the confirmation of the election to the Executive Committee for its recognition, issue of Sanad as specified in Appendix-IV and public notification of such appointment to all concerned authorities.

27. Dispute regarding Election of Waheh Shnong:-

- (1) If any dispute arises regarding any matter relating to or connected with the election of Waheh Shnong, the aggrieved party or parties concerned shall within 30 (thirty) days after declaration of the result of the election prefer an appeal to the Executive Committee whose decision shall be final.
- (2) The Executive Committee shall dispose of the appeal as early as possible and not later than 90 (ninety) days from the date of receipt the appeal.

28. Removal of Waheh Shnong:-

- (1) The Waheh Shnong shall cease to be a Waheh Shnong on the expiry of the term of his Office.
- (2) If at any time, it appears to the Dorbar Shnong or the Dolloi/Sirdar that the Waheh Shnong is functioning in a manner which is detrimental and contrary to the interest of the Village or the Elaka or the District Council or fails to carry out his duties, the Dolloi/Sirdar may after ascertaining the complaint/decision of the Dorbar Shnong shall forthwith report the matter to the Executive Committee for its decision on removal of the Waheh Shnong.

Provided that no Waheh Shnong shall be removed from office under this Section unless he is given an opportunity of being heard.

- (3) In case the Dolloi/Sirdar fails to act on the complaint/decisions taken by the Dorbar Shnong within the period of thirty days, the Dorbar Shnong can directly approach the Executive Committee for final decision.
29. (1) An appeal against the decision of the Executive Committee shall lie to a Tribunal constituted by the Executive Committee for the purpose and the Tribunal shall dispose of the matter as early as possible and shall not ordinarily exceed 90 (ninety) days from the date of receipt of the case records and the decision of the Tribunal shall be final.
- (2) Any appeal before the Tribunal shall be filed to the Secretary, Executive Committee within 30 (thirty) days after the order of the Executive Committee is communicated to the party or parties concerned.
 - (3) The Executive Committee shall constitute the Tribunal and also send the case records to it within 30 (thirty) days from the date of receipt of such appeal.

30. Appointment of Acting Waheh Shnong:-

If at any time the office of a Waheh Shnong is vacant due to death or resignation or removal or pendency of appeal and where an election cannot be held and the situation demands immediate appointment of Waheh Shnong, the Dolloi/Sirdar may in writing recommend to the Executive Committee the name of a person for consideration of appointment as Acting Waheh Shnong who will exercise all the powers and functions

of the Waheh Shnong. An Acting Waheh Shnong shall hold office for a period of not more than six months from the date of appointment.

31. Powers and Functions of the Waheh Shnong:-

Subject to such rules as may be made in this behalf by the Executive Committee, the Waheh Shnong in Dorbar shall exercise the powers and functions within his territorial jurisdiction relating to :-

- (1) The administration and affairs of the village ensuring progress and prosperity of the village.
- (2) Convening the meeting of the Dorbar Shnong not less than three times in a year or as many times as may be required or as the circumstance arises or demanded by not less than 50 percent of the adult inhabitants of the Village.
- (3) Maintaining of peace and tranquillity in the village.
- (4) Rendering all help and assistance to the Dolloi/Sirdar or his agents in conducting any enquiry relating to location of any landed property either owned by private individual or waste land or other landed properties.
- (5) Rendering all help and assistance to the District Council authority and Government departments/agencies in all the programmes connecting with the development and up-liftment of the village.
- (6) Maintaining of records/register of each household and the name of each and every person inhabiting or residing in the village including migrant labourers from other states.
- (7) Maintaining the boundary of the village at all times and to report to the Dolloi/Sirdar any dispute in any matter with any neighbouring village or Elaka.
- (8) Amicable settlement of disputes within the village.
- (9) Maintaining ecological balance, cleanliness of the village in the village roads, public roads and foot paths, water sources and other like-nature.
- (10) Applying for and receiving grant-in-aid, donations, subsidies from the Government and non-Government agencies and to implement the same for the benefit and welfare of the village.

- (11) Issuing of character certificate, residential certificate, no-objection certificate, certificates authenticating birth and death and other certificates of like-nature as may be required by Government or non-Government authorities or the District Council or any other agency for the best interest and welfare of the residents of the village.
- (12) To maintain registers/records relating to the issuance of any type of certificates.
- (13) Admonish/warn any resident of the village creating nuisance in the village like drunkenness or petty cases of criminal nature.
- (14) To immediately report to the police station of any habitual offender or the commission of offence occurring in the village or the presence of any foreigner in the village.
- (15) To report to the Dolloi/Sirdar or police or the Executive Committee the presence of any traders in violation of the prevailing Acts/Rules or Regulations enforced by the District Council or the State/Central Government.
- (16) To inform the public of the village about the schemes from any authority or the District Council or the State Government or the Central Government which are for the development and benefit of the public.
- (17) To carry out at any time the orders and directions received from the Dolloi/Sirdar or the Executive Committee or the Government for any matter.
- (18) To open and maintain the Account of the Dorbar Shnong in any recognised Bank.
- (19) To maintain the records of the Fund of the Dorbar Shnong including Cash Book, Receipt Book, Receipt and Expenditure Register, etc.
- (20) To issue official receipt for any fee collected, charged or realised. The rate of such fees shall be fixed and duly notified by the Dorbar Shnong.
- (21) To cause annual audit of the Fund of the Dorbar Shnong.
- (22) Any other powers and functions as may be delegated by the Executive Committee from time to time.

32. Prohibitions:-

The Waheh Shnong in Dorbar in the performance of his duties and functions shall not:-

- (1) ostracise or excommunicate any family or family members who is/are a bonafide resident of the village;
- (2) discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them from taking part in the welfare development and other activities of the village;
- (3) issue no-objection certificate or any other certificates specified in sub-section (11) of section 31 arbitrarily;
- (4) conduct himself in a manner which is the derogatory to his office or in any manner which may undermine the dignity of the Dorbar Shnong or the authority of the District Council.

33. Election, Appointment and Removal of Customary Functionaries:-

- (1) The Dolloi/Sirdar shall have the power to conduct the election, appoint and remove the customary functionaries of the Elaka in accordance with the custom prevailing in the Elaka.
- (2) The Dolloi/Sirdar shall inform the names, duties and functions of the Lyngdoh, Pator, Basan and other customary functionaries immediately to the Executive Committee for information and notification.
- (3) The Dolloi/Sirdar shall also intimate the Executive Committee the nature and status of the Puja Land/ Service Land prevailing in the Elaka enjoyed and held by the customary functionaries from time to time.

34. Appeals:-

All appeals preferred to the Executive Committee/Tribunal, under this Act shall be filed in duplicate to the Secretary, Executive Committee accompanied by a fee as may be prescribed from time to time by the Executive Committee.

35. Power to make Rules:-

Subject to the approval of the District Council, the Executive Committee may make Rules for carrying out the purpose of this Act.

36. Repeal and Saving:-

On and from the date on which this Act came into force, the enactment mentioned below shall stand repealed:-

- (1) The United Khasi-Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headmen,) Act, 1959.
- (2) The Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headmen,) Amendment, Act, 1973 and
- (3) The Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headmen,) (Second Amendment) Act, 1975.

Provided that:-

- (1) This repeal shall not effect anything done or any proceedings commenced before this Act came into force, and
- (2) All appointments made, orders or Notifications issued and published, powers conferred or proceedings commenced under the repealed Acts, shall so far as they are consistent with this Act, be deemed to have been made, done, taken, commenced under the corresponding provision of this Act.

Statement of objects and reasons

As the Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headmen) Bill, 2003 as passed by the Council has not received the assent of the Governor till date and due to change of circumstances the aforesaid Bill has been withdrawn and received back by this District Council from the office of the District Council Affairs Department, Government of Meghalaya, it has become necessary for the Council to pass a new comprehensive Act.

Hence this Act.

Thombor Shiwat
Chief Executive Member
Jaintia Hills Autonomous District Council,
Jowai.

This Act was passed by the District Council in its Budget Session held in the month of March, 2015 and duly rectified and approved in the Council Special Session held on the 3rd June 2015 and further rectified and approved in the Emergent Special Session held on 21st December, 2015. In authentication whereof I give my signature herein.

L. S. Shylla
Chairman, District Council
Jaintia Hills Autonomous District Council,
Jowai

I assent to this Act.

Dated Shillong,
The 23rd December, 2015.

V. SHANMUGANATHAN
GOVERNOR OF MEGHALAYA

FINANCIAL MEMORANDUM.

This Act when enacted will not involve extra expenditure on the Council.

APPENDIX – I**{Under Section 3(1)(a)}****Schedule of existing Elakas.**

1. Elaka Amwi.
2. Elaka Darrang.
3. Elaka Jowai.
4. Elaka Lakadong.
5. Elaka Maskut.
6. Elaka Mynso.
7. Elaka Narpuh.
8. Elaka Nartiang.
9. Elaka Nongjngi.
10. Elaka Nongbah.
11. Elaka Nongkhlieh
12. Elaka Nongtalang.
13. Elaka Raliang.
14. Elaka Rymbai.
15. Elaka Satpator.
16. Elaka Shangpung.
17. Elaka Sutnga.
18. Elaka Shilliang Myntang.
19. Sirdarship Saipung.

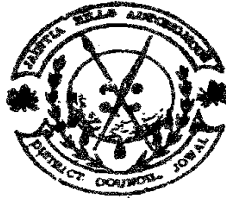
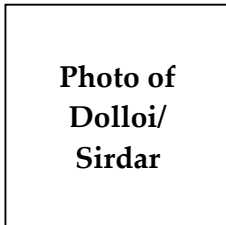
APPENDIX – II
{Under Section 4(2)}
Schedule of Eligible clans.

<i>Sl no.</i>	<i>Name of Elaka</i>	<i>Eligible clans</i>
1.	Amwi	1. Jaid kur Tariang 2. Jaid kur Massar 3. Jaid kur Pyrtuh
2.	Darrang	1. Jaid kur Ryngksai 2. Jaid kur Lymba 3. Jaid kur Kongwang 4. Jaid Kur Syngkrem
3.	Jowai	1. Jaid kur Sookpoh-Khadarwyrnai 2. Jaid kur Le Kyllung – (Rymbai, Najiar & Toi). 3. Jaid kur Talang-Lato (Lato & Thma Shynret).
4.	Lakadong	1 Jaid kur Shadong 2. Jaid kur Rymbai 3. Jaid kur Suchen
5.	Maskut	1. Jaid kur Rynjah 2. Jaid kur Tyngkra 3. Jaid kur Mukhim
6.	Mynso	1. Jaid kur Myrchiang 2. Jaid kur Situng 3. Jaid kur Pakma which comprise of Jaid kur Pastieh/Pan/Kya 4. Jaid Kur Syntem(which also comprise of Jaid kur Lyngdoh
7.	Narpuh	1. Jaid kur Patwad 2. Jaid kur War 3. Jaid kur Kyndoh 4. Jaid Kur Pyrngai
8.	Nartiang	1. Jaid kur Dhar 2. Jaid kur Dkhar 3. Jaid kur Lamare

<i>Sl no.</i>	<i>Name of Elaka</i>	<i>Eligible clans</i>
9.	Nongbah	1. Jaid kur Pasi 2. Jaid kur Biam 3. Jaid kur Thubru 4. Jaid Kur Hinge
10.	Nongjngi	Jaid kur Sariang:- Kyndong, Samati, Ramut, Snieh, Daw, Shalani, Tahiah, Khariah, Laskor.
11.	Nongkhlieh	1. Jaid kur Sukhlain 2. Jaid kur Pyrngap 3. Jaid kur Dkhar 4. Jaid kur Pajuh
12.	Nongtalang	1. Jaid kur Lamin 2. Jaid kur Myrchiang
13.	Raliang	1. Jaid kur Lyngdoh 2. Jaid kur Biam 3. Jaid kur Dkhar 4. Jaid kur Suchiang 5. Jaid kur Lamare 6. Jaid kur Synnah
14.	Rymbai	1. Jaid kur Lyngdoh 2. Jaid kur Nongtdu 3. Jaid kur Swer
15.	Satpator	1. Jaid kur Myrlia 2. Jaid kur Pamblang 3. Jaid kur Pohkyrnu 4. Jaid kur Lyngdoh Susa 5. Jaid kur Laka-shiang (Talang)
16.	Shangpung	1. Jaid kur Sungoh 2. Jaid kur Dhar Suchiang 3. Jaid kur Phyllei-Langbang 4. Jaid kur Suiam-Langstang 5. Jaid kur Shylla-Rabon

<i>Sl no.</i>	<i>Name of Elaka</i>	<i>Eligible clans</i>
17.	Shilliang Myntang	1. Jaid kur Bareh 2. Jaid kur Sariang 3. Jaid kur Liam 4. Jaid kur Talang
18.	Sutnga	1. Jaid kur Pala 2. Jaid kur Sutong 3. Jaid kur Sutnga 4. Jaid kur Mular
19.	Sirdarship Saipung	1. Jaid kur Nampui 2. Jaid kur Darnei 3. Jaid kur Ngamlai 4. Jaid kur Ngirsim 5. Jaid kur Thiate

APPENDIX –III
(Under Section 5)
JAINTIA HILLS AUTONOMOUS DISTRICT::JOWAI.
SANAD
(Doloi/Sirdar)



No.JHADC/POL/_____

Dated Jowai, The _____ 201__

This Sanad to be the Doloi/Sirdar of the Elaka _____ is conferred upon you _____ of village _____ East/ West Jaintia Hills District.

This SANAD conferred upon you ratifying your election and appointment as Dolloi/Sirdar vide notification No. JHADC/_____ dated _____ confirmed on _____ by the Jaintia Hills Autonomous District Council according to Section 5 of the JHAD (Establishment of Elaka and Village and Election, Appointment, Powers and Functions of the Doloi/Sirdar and Waheh Shnong) Act, 2015 enforced by this District Council.

This SANAD conferred upon you the powers to run the administration and affairs and to take proper care of the custom, practice or usage, welfare, peace, tranquility and socio-economic developments of the Elaka _____

Terms and Conditions:-

1. That you shall be the Dolloi/Sirdar of the Elaka _____ according to the custom, practice and usage.
2. That you shall run the administration of the Elaka in accordance with the Jaintia Hills Autonomous District Council (Establishment of Elaka and Village and Election, Appointment, Powers and Functions of Dolloi/Sirdar and Waheh Shnong) Act, 2015, and to abide to the Rules and Regulations of the District Council.
3. That, you, as the Chairman of the Village Court, shall adjudicate and decide the civil and criminal cases as empowered under the Rules of the United Khasi-Jaintia Hills Autonomous District (Administration of Justice) Rule, 1953 as adopted and amended or any other rules as the District Council may from time to time enact.

4. That you shall run the administration and affairs of the Elaka in accordance with the Acts, Rules and Regulations of the District Council.
5. That you shall collect the tolls or tax of the Elaka according to the custom, practice and usages approved and empowered by the District Council.
6. That you shall not lease or transfer or mortgage or allow to be leased or transferred or mortgaged any land or lands or forest in the Elaka to non tribal person(s). You shall inform the District Council of such lease or transfer or mortgage of land if any.
7. That you shall not issue No Objection Certificate or permission to survey or use of any land or lands or forest whether private or public property, to any Corporate body without the approval of the Dorbar Elaka and without the knowledge and approval of the District Council.
8. That you shall conduct proper spot enquiry and verification of the land before forwarding any application of any person to the District Council for the issuance of Land Holding Certificate/Patta or the registration of forest or mutation of name of the said documents.
9. That you shall look after and take proper care of the rivers and water bodies situated within your Elaka to protect them from any damage or deformity which may hinder the public from using them.
10. That you shall apprehend/arrest any person(s) who catches or kills any aquatic life by poisoning or using of explosives in any river or water bodies situated within the Elaka and to report the matter to the District Council.
11. That your office shall be located at _____ which is the Headquarter of Elaka _____.
12. That your remuneration shall be the income derived from the Service land according to the custom and usages and other benefits in accordance to the prevailing custom and rules enforced by the District Council.
13. That you shall seek the assistance and clarification of the District Council regarding any matter which you may find difficult.
14. That you shall abide and carry out any order/orders issued or to be issued by the District Council.

**Executive Member,
In-charge Elaka Administration
Jaintia Hills Autonomous District Council
Jowai.**

(Translated copy)

**APPENDIX –III
(Under Section 5)**

JAINTIA HILLS AUTONOMOUS DISTRICT::JOWAI.

**SANAD
(Doloi/Sirdar)**

Ka Dur u
Doloi/
Sirdar



No. JHADC/POL/ _____

Dated Jowai, The _____ 201__

Ia kane ka SANAD ban long u Doloi/Sirdar jong ka Elaka _____ la ai ha phi u _____ shnong _____ East/West Jaintia Hills District.

Kane ka SANAD ba la ai haphi ka long ba ia ka jingthung Doloi/Sirdar ia phi kat kum ka jing pynbna kaba No _____ dated _____ la pynskhem ha ka _____ da ka Ing Dorbar jong ka Jaintia Hills Autonomous District Council katkum ka Section 5 jong ka JHAD (Establishment of Elaka and Village and Election, Appointment, Powers and Functions of the Doloi/Sirdar and Waheh Shnong) Act, 2015, ba la pynjari da kane ka District Council.

Kane ka SANAD ka pynkup haphi ia ka bor ban synshar-khaddar bad sumar sukher, ia ki riti ki dustur, ia ka shong suk shong sain bad ka roi ka par ka Elaka _____

Ki kyndon kane ka Sanad ki long:-

1. Ba phin long u Doloi/Sirdar jong ka Elaka _____ katkum ki riti bad dustur.
2. Ba ha ka jingtreikam jong phi U Doloi/Sirdar kan long kat kum ka aiñ ba la buh ha ka JHAD (Establishment of Elaka and Village and Election, Appointment, Powers and Functions of Doloi/Sirdar and Waheh Shnong) Act, 2015, ba la pynjari da kane ka District Council bad ba phin kohnguh de ia ki hukum bad jingpyniaid kam ka District Council.
3. Ba phin bishar ia ki Mukotduma Dewani bad Phoidari kum u Chairman ka Village Court kat kum ki bor ba la pynkup ia phi da ka United Khasi-Jaintia Hills Autonomous District (Administration of Justice) Rules 1953 ba la pynjari da kane ka District Council.
4. Ba phin synshar ruh ia ka Elaka kat kum ki ain ki kanun ba la pynjari da ka District Council bad kat kum ki riti ki dustur kiba don hapoh ka Elaka.

5. Ba phi dei ban lum ia ka khrong ka Dan, u synniang u bynhei ka Elaka kat kum ka niam ka rukom bad ka dustur ka riti, kiba la mynjur bad ai bor daka District Council.
6. Ba phim donhok ban die ne ai wai ne bynda ne shah iano iano ban die ne aiwai ne bynda ia ki khyndew ne shyiap ki khlaw ki btap sha uno uno ne kano kano kiba dei ki mynder. Phi dei ban ai jingtip sha ka District Council lada don kum kine ki jingiadie iathied ne aiwai khyndew.
7. Ba phim dei ban ai No-Objection Certificate ne permission ban survey ne pyndonkam ia kano kano ka jaka khyndew ne khlaw la ka dei ka jong ki riewshimet ne jaka paitbah sha kano kano ka Company khlem ka jingmynjur ka dorbar Elaka bad khlem ka jingtip bad jingmynjur ka District Council.
8. Ba haba phi phah ia kino kino ki application jong ki briew sha ki ophis ka District Council, la ki dei kaba Pan Patta hali thymmai, ne pan Land Holding Certificate, ne pan register khlaw, pan pynkylla kyrteng Patta/L.H.C, phi dei ban da kylli tohkit bniah shwa ban ai ia ka report jongphi sha ka ophis.
9. Ba phi dei ban peit bad sumar ia ki wah ki um badon hapoh ka Elaka jongphi ban ymdon kano kano ka jingpynsnewdur ne jingpynjot kaba khanglad ia u paidbah ban pyndonkam ia ki.
10. Ba phi dei ban kem bad pyntip sha ka Executive Committee lada phi lap iano iano ba shoh ne pyniap dohkha da ki dawai bih ne jait bom ha ki wah hapoh ka Elaka jongphi.
11. Ba ka Ophis jong phi kum u Dolloi/Sirdar ka dei ban long ha _____ kaba long ka Headquarter jong ka Elaka _____.
12. Ba ka Bam Dolloi jong phi ka long ki Rek Dolloi kat kum ki riti ki dustur lem bad kiwei pat ki jingioh kat kum ki dustur ki riti bad ki hukum ba la pynjari da ka District Council.
13. Ba phi dei ban wad jingiarap ne jingpynshai na kane ka District Council ia kino kino ki kam ba phi shem jingeh.
14. Ba phi dei ban kohnguh ia kano kano ka hukum ba la pynmih da ka District Council.

**Executive Member,
In-charge Elaka Administration
Jaintia Hills Autonomous District
Council
Jowai.**

APPENDIX –IV
(Under Section 26)
JAINTIA HILLS AUTONOMOUS DISTRICT COUNCIL::JOWAI.
SANAD
WAHEH SHNONG

Photo of
 Waheh
 Shnong



JHADC/POL/ _____

Dated Jowai, The _____ 201__

This SANAD is conferred upon Shri _____ of _____ Village son of Shri _____ to be the Waheh Shnong of _____ Village/ Urban Locality, Elaka _____ East/West Jaintia Hills District for the year with effect from _____ 20__ to _____ 20__ as appointed Vide Notification No. JHADC/POL/ _____ Dt- _____ according to Section 26 of JHADC (Establishment of Elaka and Village and Election, Appointment, Powers, Functions and Jurisdiction of Dolloi/Sirdar and Waheh Shnong) Act, 2015 enforced by this District Council.

This SANAD conferred upon you and the Dorbar Shnong the powers to run the administration and affairs of the Village/Urban Locality for its Socio-economic- developments, welfare, peace and tranquillity.

Terms and Conditions:-

1. That you are the Waheh Shnong of _____ Village/Urban Locality, Elaka _____ East/West Jaintia Hills District with effect from _____ 20__ to _____ 20__.
2. That the Dorbar Shnong shall run the Village administration in accordance with the JHAD (Establishment of Elaka and Village and Election, Appointment, Powers, Functions and Jurisdiction of Dolloi/Sirdar and Waheh Shnong) Act, 2015 and the Rules made there-under as enforced by this District Council.

3. Convening the meeting of the Dorbar Shnong as many times as may be required or as the circumstance arises, but not less than three times in a year.
4. Maintaining of peace and tranquillity in the village.
5. Rendering all help and assistance to the Dolloi/Sirdar or his agents in conducting any enquiry relating to location of any landed property either owned by private individual or waste land or other landed properties.
6. Rendering all help and assistance to the District Council authority and Government Departments/Agencies in all the programmes connecting with the development, up-liftment of the village.
7. Maintaining of records/register of each household and the name of each and every person inhabiting or residing in the village including migrant labourers from other states.
8. Maintaining the boundary of the village at all times and to report to the Dolloi/Sirdar any dispute in any matter with any neighbouring village or Elaka.
9. Amicable settlement of disputes within the village.
10. Maintaining ecological balance, cleanliness of the village in the village roads, public roads and foot paths, water sources and other like-nature.
11. Applying for and receiving grant-in-aid, donations, subsidies from the Government and non-Government agencies and to implement the same for the benefit and welfare of the village.
12. Issuing of character certificate, residential certificate, no-objection certificate, certificate authenticating birth and death and other certificates of like-nature as may be required by Government or non-Government authorities or the District Council or any other agency for the best interest and welfare of the residents of the village. But not to issue such certificate arbitrarily.
13. To maintain register/records relating to the issuance of any type of certificates.
14. Admonish/warn any resident of the village creating nuisance in the village like drunkenness or petty cases of criminal nature.
15. To immediately report to the police station of any habitual offender, or any commission of offence occurring in the village or the presence of any foreigner in the Village.
16. To report to the Dolloi/Sirdar or police or the Executive Committee the presence of any traders in violation of the prevailing Acts/Rules or Regulations enforced by the District Council or the State/Central Government.

17. To inform the public of the village about the schemes from any authority or the District Council or the State Government or the Central Government which are for the development and benefit of the public.
18. To carry out at any time the orders and directions received from the Dolloi/ Sirdar or the Executive Committee or the Government for any matter.
19. To open and maintain the Account of the Dorbar Shnong in any recognised Bank.
20. To maintain the records of the Fund of the Dorbar Shnong including Cash Book, Receipts, Expenditures etc.
21. To issue official receipt for any fee collected, charged or realised. The rate of such fees shall be fixed and duly notified by the Dorbar Shnong.
22. To cause annual audit of the Fund of the Dorbar Shnong.
23. Any other powers and functions as may be delegated by the District Council from time to time.

Prohibitions under Section 32 of the Act:-

The Waheh Shnong in Dorbar in the performance of his duties and functions shall not:-

- (1) ostracise or excommunicate any family or family members who is/are a bonafide resident of the village;
- (2) discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them from taking part in the welfare development and other activities of the Village;
- (3) issue no-objection certificate or any other certificates specified in sub-section (11) of section 31 arbitrarily;
- (4) conduct himself in a manner which is the derogatory to his office or in any manner which may undermine the dignity of the Dorbar Shnong or the authority of the District Council.

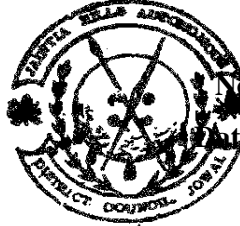
*Executive Member
Incharge Elaka & Village Administration
Jaintia Hills Autonomous District Council,
Jowai.*

(Translated copy)
APPENDIX –IV
(Under Section - 26)

JAINTIA HILLS AUTONOMOUS DISTRICT COUNCIL::JOWAI.

**SANAD
WAHEH SHNONG**

Ka Dur u
Waheh
Shnong



No..JHADC/POL/ _____
Dated Jowai, The _____ 201__

Ia kane ka SANAD la ai ha phi u _____

Shnong _____ Khun
U _____ ban long u Waheh Shnong jong ka Shnong
_____ Elaka _____

East/ West Jaintia Hills District na ka bynta _____ Snem, naduh _____ 20__ haduh
_____ 20__. Kumba la thung ia phi daka jingpynbna
No.JHADC/POL/ _____ Dt- _____ katkum ka Section ba 26 jong ka
JHADC (Establishment of Elaka and Village and Election, Appointment, Powers, Functions and
Jurisdiction of the Dolloi/Sirdar and Waheh Shnong) Act, 2015 ba la pynjari da kane ka District
Council.

Da kane ka SANAD la pynkup haphi bad ka Dorbar Shnong ia ka bor ban peit ia ka synshar-
khaddar, ka shong suk shong sain, ka bha ka miat bad ka roi ka par jong ka Shnong jong phi.

Ki kyndon kane ka Sanad ki long:-

1. Ba phin long u Waheh Shnong jong ka Shnong _____ Elaka
_____ East/West Jaintia Hills District naduh _____ 20__ haduh
_____ 20__.
2. Ba maphi bad ka Dorbar Shnong phin pyniaid ia ka jingtreikam ka jong phi katkum ki ain ka
JHADC (Establishment of Elaka and Village and Election, Appointment, Powers, Functions
and Jurisdiction of the Dolloi/Sirdar and Waheh Shnong) Act, 2015 bad ki Rules ba la thaw
na kane ka Act ba la pynjari da kane ka District Council.
3. Ba ka Dorbar Shnong kan long man ka por ba donkam bad ym dei ban duna ia ka lai sein shi
snem.
4. Ban peit bad ri ia ka shongsuk shongsain hapoh Shnong hapoh thaw.

5. Ban ai ka jingiarap ia u Dolloi/Sirdar ne ki briew jong u haba ki shim jingkylli-tohkit (enquiry) ia ka jaka puta, ka khyndew ka shyiap, ki khlaw ki btap jong ki riw shimet ne jaka paitbah, ne ia kano kano ka kam.
6. Ban ai ka jingiarap ia ki briew ka District Council, ka Sorkar jylla ne nongtrei jong kano kano ka Sorkar ne Seng ha baroh ki programme ba don jingiadei bad ka roi ka par, ka bha ka miat ka imlang-sahlang ne ban kyntiew ia ka Shnong bad ka jaitbynriew.
7. Ban buh jingthoh (record) ha ki Register ia ki Iing ki Sem bad kyrteng ki Nongshong Shnong baroh hapoh ka Shnong bad ruh ia kino kono kiba nabar shnong ne bar jylla ba wansah wan trei hapoh ka shnong jong phi.
8. Ban peit bad sumar ia u pud u sam ka Shnong, bad lada don kano kano ka jingbymiabeit bad ki marjan shnong dei ban pyntip sha u Dolloi.
9. Ban pynbeit da ka lynti ba suk bad sngewthuh jingmut ia kano kano ka khajia majia hapoh shnong pohthaw.
10. Ban pynneh pynsah ia ka jingitynnad ka mariang (ecological balance) ia ka jingkhuid jingsuba ki lynti ki syngkien ki umbam umdih ki nur um ki nalla bad kiwei kiwei hapoh shnong poh thaw.
11. Ban wad ia ki lad jingiarap pisa (grant) na ka bynta ban pyntreikam pynbit pynbiang ia ka roi ka par jong ka shnong.
12. Ban ai jingpynshisha (certificate) ia ki nongshong shnong kum ki Certificate nongshong shnong (residential) N.O.C ban khaii pateng hapoh u pud ka shnong, jingpynshisha jinglong (character), jingkha, jingiap bad kiwei haba donkam da ka Sorkar ne kiwei kiwei pat ki bor na ka bynta ka jingbit jingbiang bad jingbha ki nongshong shnong. Hynrei phim dei ban ai certificate kulmar.
13. Ban buh jingthoh (records) ha ka Register ia baroh ki Certificate ba la ai (issue) ha la ki jait certificate.
14. Ban maham ba uno uno u nongshong shnong um dei ban thaw jingkulmar, jingkhajia ne jingpynwit ia kiwei ha shnong ha thaw bad bynbit ban leh ia ki kam runar.
15. Ban report sha ki Police ia kano kano ka kam runar, kam kulmar ne jingpynkulmar ba jia hapoh shnong pohthaw lane ka jingdon jong ki bar ri hapoh shnong.
16. Ban ai jingtip sha u Dolloi/Sirdar ne Police ne sha ka Executive Committee ia ka jingdon jong ki ba wan khaii hapoh u pud ka shnong ka thaw.

17. Ban pyntip paitbah hapoh shnong ponthaw ia ki scheme ba wan na ka sorkar ne nawei kiba iadei bad ka roi ka par ne jingmyntoi u paitbah.
18. Ban kohnguh ban pyntreikam ia kino kino ki hukum ba wan na u Dolloi/Sirdar ne na ka District Council ne ka Sorkar Jylla.
19. Ban plie Account tang ha ki Bank ba la ithuh da ka Sorkar ban buh ia ki pisa tyngka ka shnong.
20. Ban buh jingthoh ia ki jingkhein jingdiah ka pisa tyngka jong ka shnong.
21. Ban ai official receipt ia kano kano ka jinglum pisa kat kum ka dor ba la buh da ka Dorbar Shnong.
22. Ban phah audit (bishar) ia ki jingkhein jingdiah ki pisa tyngka jong ka shnong.
23. Ban kohnguh bad pyntreikam ia kano kano ka hukum ne jingbthah ne ia kano kano ka kam ne jingaibor ban dang pynmih da ka District Council na ka por sha ka por.

Jingmana katkum ka Section 32 jong ka Act: -

U Waheh Shnong bad ka dorbar ha ka jingtrei bad pyniaid kam jong ki kim dei ne bit: -

1. ban beh ne tait Shnong ia kano kano ka long iing lane ki dkhot ka long iing jong ka Shnong ka thaw.
2. ban pyniapher ne niew ne leh shilliang ia ki nongshong shnong tang namar ka jingpher ka niam ka rukom, ka jait ka kynja, shynrang ne kynthei, ka shnong ba la kha ne na kiba kum kita ki daw ban pynduh bynta ia ki ban iashim bynta ha ka roi ka par bad kiwei kiwei ki kam Shnong kam thaw.
3. ban ai pathar ia ki No Objection Certificate lane kio kino ki Certificate kiba la batai ha ka sub-section (11) jong ka Section 31.
4. ban leh ia ki kam kiba pynjah burom ia ka kam Waheh Shnong ne pynhiar dor ia ka burom jong ka Dorbar Shnong ne ka iktiar jong ka District Council.

**Executive Member,
Incharge Elaka & Village
Administration
Jaintia Hills Autonomous District
Council
Jowai.**