

GOVERNMENT NOTICE No. 441 published on 15/12/61

LG. 12/29/03

THE LOCAL GOVERNMENT ORDINANCE

(CAP. 333)

INSTRUMENT

ESTABLISHING THE LINDI DISTRICT COUNCIL

Made under section 4.

THE LOCAL GOVERNMENT (LINDI DISTRICT COUNCIL) INSTRUMENT, 1961

WHEREAS, I, JOB MARECELA LUSINDE, Minister for Local Government, am satisfied from inquiries I have made and caused to be made that there is among the inhabitants of and residents in the area set out in the First Schedule to this Instrument a general wish that the District Council established by this Instrument should be established.

NOW, THEREFORE, I, the said JOB MARECELA LUSINDE, in exercise of the powers conferred upon me by section 4 of the Local Government Ordinance, and with the prior approval of the National Assembly signified by resolution do hereby make the following Instrument:—

1. This Instrument may be cited as the Local Government (Lindi Short title District Council) Instrument, 1961.

2. In this Instrument unless the context otherwise requires "the Inter-Council" means the Lindi District Council established by clause 3 of this pretation Instrument;

"the Ordinance" means the Local Government Ordinance.

3. There is hereby established, as from the first day of January, 1962, a District Council to be known as "Lindi District Council".

Establishment of the Council

4. The area under the jurisdiction of the Council is the area set out in the First Schedule hereto.

Area under the jurisdiction of the Council

5. The functions of the Council shall be exercisable in respect of all persons in the area under its jurisdiction.

Persons in respect of whom functions exercisable

6. The seal of the Council shall be the following device:—

Seal



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Provided that until such time as a seal capable of such device can be procured, a rubber stamp bearing the inscription "Lindi District Council" may be used in lieu of such seal.

Wards

7. The area under the jurisdiction of the Council for the purposes of this Instrument shall be deemed to be divided into 32 wards as described in the Second Schedule hereto.

Constitution

8. The Council shall consist of—

- (a) thirty-two members to be appointed by the Minister, each to represent one ward in the area under the jurisdiction of the Council;
- (b) not more than three other members to be appointed by the Minister; and
- (c) not more than three members co-opted by the Council under the provisions of clause 10 of this Instrument.

Term of office of members of the Council

9. Members of the Council shall retire at the end of three years from the date of their appointment:

Provided that those members first appointed by the Minister to represent wards I, II, III, IV, V, VI, VII, VIII, IX, X and XI, as described in the Second Schedule hereto shall retire at the end of one year from the date of their appointment, and those members first appointed by the Minister to represent wards XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI and XXII, as described in the Second Schedule hereto shall retire at the end of two years from the date of their appointment.

And provided further that a member co-opted by the Council shall hold office for such period not exceeding three years as the Council shall determine.

Co-opted Members

10. The Council may, in its discretion, at any time co-opt to be additional members of the Council not more than three persons.

Chairman and Vice-Chairman

11. The Chairman and Vice-Chairman shall be elected by the Council in accordance with the provisions of section 15 of the Ordinance and shall hold office for a period of one year.

Council's Office

12. The office of the Council shall be situated in the Lindi Township.

Functions

13. In addition to those functions conferred upon the Council by the Ordinance or by any other law for the time being in force, the Council—

- (i) shall maintain as from the 1st day of July, 1962 all highways from time to time classified under the provisions of section 13 of the Highways Ordinance as District Roads in the area of jurisdiction of the Council, and the bridges, culverts, drains and water courses appertaining thereto;
- (ii) may maintain all those roads and the bridges, culverts, drains and water courses appertaining thereto formerly maintained in whole or in part by the Native Authorities of Lindi District from funds provided in the annual estimates of these Authorities;
- (iii) shall take measures for the prevention or removal of damage or obstruction to roads which the Council is empowered to maintain;

- (iv) may make new roads, streets, bridges, culverts, drains and water courses appertaining thereto;
- (v) may close any road, street or footpath which it is empowered to maintain either permanently or for such period as may be necessary to enable the maintenance or repair thereof to be carried out;
- (vi) may restrict and regulate the construction, alteration, alignment and elevation of all buildings and other structures and parts thereof and compel the demolition, removal, repair and rendering safe of any building, structure or part thereof which in the opinion of the Council is dangerous or unfit for occupation for structural or sanitary reasons, or which otherwise constitutes a nuisance and may provide for the doing of any such work as aforesaid at the cost of the owner or occupier and for the recovery of such cost;
- (vii) may perform all or any of the functions specified in the following paragraphs of section 52 of the Ordinance:—
 - (3), (4), (5), (7), (10), (11), (12), (13), (14), (15), (16), (17), (18), (21), (27), (31), (35), (36), (37), (40), (41), (42), (43), (44), (45), (46), (47), (50), (51), (52), (53), (55), (56), (57), (58), (61), (62), (64), (68), (70), (71), (72), (73), (77), (78), (79), (80), (81), (83), (84), (85), (87), (91), (92), (94), (95), (96), (97), (100), (101), (103), (104), (105), (110), (114), (115), (116), (117), (121), (122), (124), (125), (129), (131), (134), (136), (137), (138), (139), (141), (142), (145), (146), (147), (148), (149) and (151);
- (viii) may regulate and control markets and trade therein and may regulate and control the fixing and collection of stallages, rents, and tolls in markets;
- (ix) may promote, regulate or control the disposal or marketing of, or provide for the inspection of any agricultural or animal produce in the area other than the produce of land held under rights of occupancy granted under the Land Ordinance, Cap. 113, or land held for an estate of freehold;
- (x) may regulate or control the storage of produce and provide for its inspection;
- (xi) may provide services for the improvement of agriculture and animal husbandry and may without prejudice to the generality of the foregoing, establish and maintain seed farms, plant nurseries, apiaries and fish ponds and animals at stud;
- (xii) may regulate and control the cultivation of poisonous or noxious plants;
- (xiii) may take measures for the prevention and abatement of nuisances;
- (xiv) may provide for the control, regulation, inspection, supervision and licensing of—
 - (a) social halls, dance halls and places of entertainment;
 - (b) lodging and eating houses;

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- (xv) may establish, erect, equip and maintain social or welfare centres and public libraries;
- (xvi) may take measures for the prevention of the pollution of water in any river, stream, water course, well or other water supply in the area;
- (xvii) may make payments in accordance with the Local Authorities (Expenses) Regulations, to the Chairman, Vice-Chairman or any member of the Council in respect of expenses incurred by them in the performance of their duties as Chairman, Vice-Chairman or members as the case may be;
- (xviii) shall maintain, repair and equip and engage and employ such staff as may be necessary for any Local Court, office, lock-up or other building required for or used in connection with the establishment and running of such court which is situated within its area and set aside or provide land for and build any such court, office, lock-up or other building when required to do so by the Provincial Commissioner of the Southern Province to the satisfaction of the said Provincial Commissioner and pay such siting fees to any member of a Local Court which is situated within its area as are specified from time to time by the Provincial Commissioner.

FIRST SCHEDULE

The Lindi District excluding Lindi Township.

SECOND SCHEDULE

WARD I:

The Ruangwa and Lipande Parishes of the Ruangwa Liwaliate.

WARD II:

The Kitandi, Mpiruka, Nkowe, Mtimbo, Mbangala, and Narungombe Parishes of the Ruangwa Liwaliate.

WARD III:

The Nachinyimba juu, Nachinyimba chini, Mkuti, Namichiga, Matambarare, and Chunya Parishes of the Ruangwa Liwaliate.

WARD IV:

The Mandawa, Makongole, Muhuru juu, Muhuru chini, and Chikundi Parishes of the Mandawa Liwaliate.

WARD V:

The Mtondo, Nambiranje, Nanjaru, Kipande and Namunda-Kiwawa Parishes of the Mandawa Liwaliate.

WARD VI:

The Mnacho, Ole, Nanguruwe, and Mihima Parishes of the Mnacho Liwaliate.

WARD VII:

The Nkowe, Kipindimbi, Mkata, Mibure Parishes of the Mnacho Liwaliate.

WARD VIII:

The Malolo, Mchimile, Mbalala, Chikulyungu and Chinongwe Parishes of the Mnacho Liwaliate.

WARD IX:

The area of the Mtama Minor Settlement.

WARD X:

The Mtama (excluding Minor Settlements), Jangwani, Nachui, Likolombe, Nyangedi, Luwale-Mtua, and Longa-Mmangawanga Parishes of the Mtama Liwaliate.

WARD XI:

The Nyungao, Mahiwa, Mpeme, Namupa, Nnele and Namanangale Parishes of the Mtama Liwaliate.

WARD XII:

The Kitomanga, Matarawe, and Lulemba Parishes of the Mipingo Liwaliate.

WARD XIII:

The Matapwa, Mchinjidi, and Matapya Parishes of the Mipingo Liwaliate.

WARD XIV:

The Mwiwi, Kikenje, Namatiwi, and Moka Parishes of the Nangaru Liwaliate.

WARD XV:

The Mnanje, Matimba, Nyere, Kitohawi, and Likandilo Parishes of the Nangaru Liwaliate.

WARD XVI:

The Mkombamosi, Nangaru, Uleka, Chohi, and Namkongo Parishes of the Nangaru Liwaliate.

WARD XVII:

The Ngorowe, Chipwapwa, Nnonjimedi, Nahinu juu, Nahinu chini, and Tapaila Parishes of the Milola Liwaliate.

WARD XVIII:

The Milola juu, Milola chini, Rutamba, Mkanga, and Luhoma Parishes of the Milola Liwaliate.

WARD XIX:

The Naitiwi, Tandangongoro, and Nandanje Parishes of the Ng'apa Liwaliate.

WARD XX:

The Ng'apa, Nachikalala, Mtange, and Mkolimba Parishes of the Ng'apa Liwaliate.

WARD XXI:

The Chiponda, Mtauna, Mihanga, and Nanungu Parishes of the Rondo Liwaliate.

WARD XXII:

The Mitanga, Mtene, and Liganga Parishes of the Rondo Liwaliate.

WARD XXIII:

The Mbanja, Kikwetu, Likong'o, Kizimbani, and Mchinga No. I Parishes of the Mchinga Liwaliate.

WARD XXIV:

The Mchinga No. II, Kilolambwani, Dimba, Jiwe la Mzungu, Kilangara, and Likahakwa Parishes of the Mchina Liwaliate.

WARD XXV:

The area of the Mingoyo Minor Settlement.

WARD XXVI:

The Mitumbati, Ruaha, Mnazimmoja, Kiwalala, Ruo, and Kilidu Parishes of the Mingoyo Liwaliate.

WARD XXVII:

The Namunda, Ruhokwe, Mnolela, Mtengu, Namalamuka, Mbuta, and Kihangi Parishes of the Mingoyo Liwaliate.

WARD XXVIII:

The Mandwanga, Ming'wena, Chiuta, Ngodi, and Nambahu Parishes of the Nyangamara Liwaliate.

WARD XXIX:

The Nyangamara, Mbindo, Utimbe, Litilang'ondo, and Madingo Parishes of the Nyangamara Liwaliate.

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WARD XXX:

The Nahukahuka, Kipimi, Kiheru, Mtumya and Kidoo Parishes of the Nyangamara Liwaliate.

WARD XXXI:

The Mungwe, Shuka, Miheu, and Nachunyu Parishes of the Sudi Liwaliate.

WARD XXXII:

The Sudi, Madangwa, and Mtengu Parishes of the Sudi Liwaliate.

Made by the Minister for Local Government at Dar es Salaam this second day of December, 1961.

J. M. LUSINDE,

Minister for Local Government

Approval of the making of the above Instrument was signified by resolution of the National Assembly on the first day of December, 1961.

Dar es Salaam,
2nd December, 1961

G. W. Y. HUCKS,
Clerk of the National Assembly

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Made under section 4

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