

GOVERNMENT NOTICE No. 128 published on 30/3/62

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THE LOCAL GOVERNMENT ORDINANCE

(CAP. 333)

INSTRUMENT

ESTABLISHING THE KONDOA DISTRICT COUNCIL

*Made under section 4 of the Local Government Ordinance*THE LOCAL GOVERNMENT (KONDOA DISTRICT COUNCIL)
INSTRUMENT, 1962

WHEREAS, I, JOB MARECELA LUSINDE, Minister for Local Government and Administration, 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:—

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| Short title | 1. This Instrument may be cited as the Local Government (Kondoa District Council) Instrument, 1962. |
| Interpretation | 2. In this Instrument unless the context otherwise requires—
“the Council” means the Kondoa District Council established by clause 3 of this Instrument;
“the Ordinance” means the Local Government Ordinance. |
| Establishment of the Council | 3. There is hereby established, as from the first day of April, 1962, a District Council to be known as “Kondoa District Council”. |
| Area under jurisdiction of the Council | 4. The area under the jurisdiction of the Council is the area set out in the First Schedule hereto. |
| Persons in respect of whom functions exercisable | 5. The functions of the Council shall be exercisable in respect of all persons in the area under its jurisdiction. |

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

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Seal



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

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

8. The Council shall consist of:—

Constitution

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

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

Term of office of members of the Council

Provided that those members first appointed by the Minister to represent Wards I to 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 to 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.

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

Co-opted members

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

Chairman and Vice-Chairman

12.—(i) The office of the Council shall be situated in such place as the Minister may direct.

Council's office and meetings

(ii) The Council shall meet not less than four times in any one year.

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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 first 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 Kondoa 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 and streets, and bridges, culverts, drains and water-courses appertaining thereto;
- (v) may alter, divert or 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 perform all or any of the functions specified in the following paragraphs of section 52 of the Ordinance:—
(1), (3), (4), (5), (10), (11), (12), (13), (16), (17), (18), (20), (21), (28), (31), (34), (35), (36), (37), (38), (39), (40), (41), (42), (43), (44), (45), (46), (47), (48), (49), (50), (51), (52), (53), (54), (55), (56), (57), (58), (59), (61), (62), (64), (65), (67), (68), (70), (71), (72), (73), (74), (75), (76), (77), (78), (79), (80), (81), (82), (83), (84), (85), (91), (95), (96), (97), (98), (100), (101), (102), (103), (104), (105), (107), (109), (110), (113), (115), (116), (117), (122), (125), (128), (129), (131), (132), (133), (134), (136), (137), (138), (139), (140), (141), (142), (145), (146), (147), (148), (149), (151), (153);
- (vii) may prepare schemes for consideration by Government for the irrigation of land, the reconditioning of land or the preservation of land and the regulation or control of the use of land whether for agricultural, grazing, forestry or any other purpose whether of a like nature to the foregoing or not and may carry out or promote and control any such schemes that may have been approved by Government;
- (viii) may build, equip and let dwelling houses for occupation by the employees of the Council;
- (ix) may regulate and control the cultivation of poisonous or noxious plants;
- (x) may take measures for the prevention and abatement of nuisances;
- (xi) may provide for the control, regulation, inspection, supervision

- (xii) may establish, erect, equip and maintain social or welfare centres and public libraries;
- (xiii) may establish, erect, equip and maintain communal feeding centres for the supply of food and drink;
- (xiv) 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;
- (xv) 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;
- (xvi) 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 Province to the satisfaction of the said Provincial Commissioner and pay such sitting 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 Kondoa District.

SECOND SCHEDULE

WARD I:

The Kolo, Choka, Bolisa and Thawi Parishes of the Sub-Chiefdom of Kolo.

WARD II:

The Isabe, Soera and Umpumayi Parishes of the Sub-Chiefdom of Kolo.

WARD III:

The Sokola, Changaa and Tumbelo Parishes of the Sub-Chiefdom of Kolo.

WARD IV:

The Haubi and Gayu Parishes of the Sub-Chiefdom of Haubi.

WARD V:

The Baura and Kalamba Parishes of the Sub-Chiefdom of Haubi.

WARD VI:

The Hebi and Mwisanga Parishes of the Sub-Chiefdom of Haubi.

WARD VII:

The Mondo, Madabachu and Sega Parishes of the Sub-Chiefdom of Mondo.

WARD VIII:

The Daki, Dalai and Kelema Maziwani Parishes of the Sub-Chiefdom of Mondo.

WARD IX:

The Jangalo, Kinkima, Tandala and Itolwa Parishes of the Sub-Chiefdom of Mondo.

WARD X:

The Masange, Mnenya and Itololo Parishes of the Sub-Chiefdom of Masange.

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- WARD XI:*
The Kisese, Kikore and Atta Parishes of the Sub-Chiefdom of Masange.
- WARD XII:*
The Busi and Sambwa Parishes of the Sub-Chiefdom of Busi.
- WARD XIII:*
The Punju and Kinduri Parishes of the Sub-Chiefdom of Busi.
- WARD XIV:*
The Pahi and Bumbuta Parishes of the Sub-Chiefdom of Pahi.
- WARD XV:*
The Kiteo and Kinyasi Parishes of the Sub-Chiefdom of Pahi.
- WARD XVI:*
The Bereko, Salanka and Masawi Parishes of the Sub-Chiefdom of Bereko.
- WARD XVII:*
The Ororimo, Kikilo, and Berabera Parishes of the Sub-Chiefdom of Bereko.
- WARD XVIII:*
The Tura, Suruke and Unkuku Parishes of the Sub-Chiefdom of Suruke.
- WARD XIX:*
The Mngari and Kingale Parishes of the Sub-Chiefdom of Suruke.
- WARD XX:*
The Balai and Sori Parishes of the Sub-Chiefdom of Balai.
- WARD XXI:*
The Elele and Waida Parishes of the Sub-Chiefdom of Balai.
- WARD XXII:*
The area of the Kondoa Minor Settlement.
- WARD XXIII:*
The area of the Sub-Chiefdom of Farkwa.
- WARD XXIV:*
The Sanzawa and Mpendo Parishes of the Sub-Chiefdom of Sanzawa.
- WARD XXV:*
The Mangasta, Gumbu and Gungi Parishes of the Sub-Chiefdom of Sanzawa.
- WARD XXVI:*
The Goima and Pampayi Parishes of the Sub-Chiefdom of Aimabu.
- WARD XXVII:*
The Mrijo and Aimabu Parishes of the Sub-Chiefdom of Aimabu.
- WARD XXVIII:*
The Lalta and Handa Parishes of the Sub-Chiefdom of Lalta.
- WARD XXIX:*
The Boro and Mindiga Parishes of the Sub-Chiefdom of Lalta.
- WARD XXX:*
The Kwamtoro and Puma Parishes of the Sub-Chiefdom of Poro.
- WARD XXXI:*
The Mangasta, Gumbu and Gungi Parishes of the Sub-Chiefdom of Poro.
- WARD XXXII:*
The area of the Sub-Chiefdom of Gwandi.

Made by the Minister for Local Government and Administration at Dar es Salaam this nineteenth day of February, 1962.

J. M. LUSINDE,
*Minister for Local Government
and Administration*

Approval of the making of the above Instrument was signified by resolution of the National Assembly on the fifteenth day of February, 1962.

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