

Disqualifications.

13. A person shall be disqualified for being chosen as, and for being, a member of a Village Council or its First Captain if he —

(a) has failed to pay any tax, fee or other sum due to the Village General Body within three months from the date on or before which such tax, fee or other sum is required to be paid;

(b) holds any salaried office or office of profit under the Village General Body or Village Council;

(c) has directly or indirectly any share or monetary interest in any work done by or to the Village Council or in any contract or employment with or under or by or on behalf of, the Village General Body or Village Council;

(d) is a servant of the Government or of any Municipality, Panchayati Raj Institution or Tribal Council;

(e) has been dismissed from the service of the Government or Municipality or Panchayati Raj Institution or Tribal Council for misconduct;

(f) has not attained the age of twenty-one years;

(g) has been ordered to give security for good behaviour under section 109 or section 110 of the Code of Criminal Procedure, 1973;

2 of 1974.

(h) has been convicted by a criminal court of any offence involving violence or moral turpitude and sentenced to imprisonment for not less than three months and five years have not elapsed since his release;

(i) is without permission of the Village Council, absent from three of its consecutive meetings;

(j) is of an unsound mind and has been so declared by a competent court;

(k) has been declared by a competent court to be insolvent;

(l) has been disqualified under any law for the time being in force by a competent court for adopting a corrupt practice or for commission of an election offence at an election during the period of such disqualification; or

(m) is subject to clause (f), so disqualified by or under any law for the time being in force for the purpose of elections to the House of the People.

Decision on questions as to disqualification.

14. If any question arises as to whether a person has become subject to any disqualification referred to in section 4, section 7 or section 13, it shall be referred to the Deputy Commissioner who shall record his decision after giving such person a reasonable opportunity to the said person of being heard:

Provided that before recording any decision on any such question, the Deputy Commissioner shall obtain the opinion of the Election Commission and shall act in accordance with such opinion.

Election of Second Captain.

15. (1) On the constitution of a Village Council for the first time under this Regulation or on the expiry of the term of a Village Council or on its reconstitution, the Assistant Commissioner shall call a meeting for the election of the Second Captain who shall be elected from amongst the Elected Members of the Village Council.

(2) The election shall be conducted under the direct superintendence of the Assistant Commissioner concerned.

(3) The meeting shall be presided over by the First Captain of the Village Council who shall not have the right to vote.

(4) No business other than the election of the Second Captain shall be transacted at such meeting.