

99. (1) Notwithstanding anything contained in section 98, if the District Judge, in the course of hearing an election petition, is of the opinion that the evidence discloses that corrupt practices at the election proceedings in question, have prevailed to such an extent as to render it advisable to set aside the whole of the election proceedings, he shall pass a conditional order to this effect and give notice thereof to every candidate declared elected, who has not already been made a party to the case, calling upon such candidate to show cause why such conditional order should not be made final.

Avoidance of Election.

(2) Thereupon every such candidate may appear and show cause, and may recall for the purpose of putting questions to him, any witness who had appeared in the case.

(3) The District Judge shall thereafter either cancel the conditional order or make it absolute in which case he shall direct the Election Commission to take measures for holding fresh election proceedings.

100. The District Judge may declare any candidate found to have committed any corrupt practice to be ineligible for being a member of Village General Body or for contesting an election under this Regulation or for being appointed or retained in any office or place in the Government or any local authority or for being registered as a member of any Village General Body for such period not exceeding five years as the District Judge may determine.

Disqualification for corrupt or illegal practice.

101. (1) Notwithstanding anything contained in this Regulation, the validity of any law relating to delimitation of constituencies or allotment of seats to such constituencies made or purporting to be made under this Regulation shall not be called in question in any court.

Bar to interference by courts in election matters.

(2) Save as otherwise provided in sections 96, 97, 98, 99 and 100, no civil court shall have jurisdiction to question the legality or validity of any action taken or decision given by the Election Commission or the Secretary, Tribal Welfare or the Deputy Commissioner in connection with the conduct of elections under this Regulation.

102. The Deputy Commissioner or Assistant Commissioner may in the case of Village Council and Island Council, authorise any of his officers to enter in and inspect or cause to be entered and inspected any immovable property occupied by any Village Council or Island Council or any work in progress under the direction of such Village Council or Island Council, as the case may be.

Power to enter.

103. (1) No action shall lie against any member, officer, employee or agent of a Village Council or an Island Council acting under the direction of such Village Council or Island Council in respect of anything done in good faith under this Regulation or any rule or bye-law made thereunder.

Bar of action against Council, etc., and previous notice before institution.

(2) No action shall be brought against any Village Council or an Island Council or a First Captain or Second Captain or Chief Captain or Vice-Chief Captain or any of their members, officers, employees or agents for anything done or purporting to be done under this Regulation and the rules framed thereunder, until the expiry of two months next after notice in writing has been left or delivered at the office of such Village Council or Island Council and also at the residence of such of their members, officers, employees or agents against whom action is intended to be brought and such notice shall state the cause of action, the nature of the relief sought, the amount of compensation, if any, claimed and the name and place of residence of the person who intends to bring the action.

(3) Every such action shall be commenced within six months after the accrual of the cause of action and not afterwards.

104. Every member of the Village Council or an Island Council and every officer and employees maintained by or employed under a Village Council or an Island Council shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Members, etc., of Councils to be public servant.

105. No member of a Village Council or an Island Council or any of their officers or employees having any duty to perform in connection with any sale under this Regulation, shall directly or indirectly bid for, or acquire any interest in any property sold at such sale.

Members, etc., to refrain from taking part at sale.