

(2) The report shall be prepared by the First Captain and after it is approved by the Village Council, shall be forwarded to the Assistant Commissioner with a copy of the resolution of the Village Council thereon.

CHAPTER – VI

CONTROL OF VILLAGE COUNCIL

Power to call for proceedings etc.

45. The Deputy Commissioner or the Assistant Commissioner shall have power to call for –

(i) any extract from the proceedings of the Village Council or any book, record, correspondence or documents in the possession of or under the control of a Village Council;

(ii) any return, plan, estimate statement, account or report for the purpose of inspection or examination;

Default in performance of the duty by Village Council.

46. If, at any time, it appears to the Assistant Commissioner that a Village Council has made willful and persistent default in the performance of any duty imposed on it by this Regulation, he may, by order in writing, fix a period for the performance of that duty:

Provided that where the duty is not performed within the period so fixed, the Deputy Commissioner or Assistant Commissioner may appoint any person to perform it, and direct that the expenses for the performance of such duty shall be paid by the defaulting Village Council within such period as the Deputy Commissioner or Assistant Commissioner may think fit.

Suspension of execution of order on resolution of Village Council.

47. (1) If, in the opinion of the Deputy Commissioner or Assistant Commissioner, the execution of any order or resolution of a Village Council or the doing of anything which is about to be done or is being done by or on behalf of a Village Council is causing or is likely to cause injury or annoyance to the public or to lead to a breach of the peace or is unlawful, he may, by order in writing, suspend the execution or prohibit the doing thereof.

(2) When the Assistant Commissioner makes an order under sub-section (1) he shall forthwith send to the Village Council affected thereby a copy of the order together with a statement of the reasons for making it.

(3) The Assistant Commissioner shall forthwith submit to the Deputy Commissioner, a report of the circumstances in which the order was made under this section and the Deputy Commissioner may, after giving notice to the Village Council and making such enquiry as he deems fit, rescind, modify or confirm the order.

Liability of members for loss, waste or misapplication.

48. (1) Every member of a Village Council shall be personally liable for the loss, waste or misapplication of any money or other property of the Village General Body to which he has been a party or which has been caused or facilitated by his misconduct or willful neglect of his duty as a member, amounting to fraud.

(2) If after giving the member concerned a reasonable opportunity for showing cause to the contrary, the Assistant Commissioner is satisfied that the loss, waste or misapplication of any money or other property of the Village General Body is a direct consequence of misconduct or willful neglect on his part, he shall, by order in writing, direct such member to pay to the Village Council before a fixed date, the amount required to reimburse it for such loss, waste or misapplication:

Provided that no such order shall be made for bonafide or technical irregularities or mistake of a member.

(3) If the amount is not so paid, the Assistant Commissioner shall cause it to be recovered in such manner as may be prescribed.