

(206)

48.(i) 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 Council to which he has been a party or which has been caused or facilitated by his misconduct or willful neglect of his duty,

(ii) 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.

(iii) If the amount is not so paid, the Assistant Commissioner shall recover it as an arrears of land revenue and credit it to the Village fund.

(iv) An order of the Assistant Commissioner shall be subject to an appeal to the Deputy Commissioner if made within thirty days of the date of the order,

49.( i) If in the opinion of the Administrator, a Village Council

(a) exceeds or abuse its powers; or

(b) is incompetent to perform or makes willful and persistent default in performance of the duties imposed on it by or under this Regulation or any other law for the time being in force, or

(c) fails to levy the taxes leviable under this Regulation, or

(d) persistently disobeys the order of the Assistant Commissioner made under sub-section (ii) of section 47, the Administrator may, by order published in the Official Gazette dissolve the Village Council.

(ii) No order under sub-section(i) shall be passed without giving to the Village Council a reasonable opportunity to render an explanation.

(iii) If a Village Council is dissolved under sub-section (i) the following consequence shall ensue namely:

(a) all the members of the Village Council shall from the date specified in the order, cease to be members~

(b) all powers and duties of the Village Council shall during the period of dissolution of the Village Council, be exercised and performed by such person or persons, appointed by the Administrator in this behalf;

(iv) An election to constitute a Village Council shall be completed before the expiry of a period of six months from the date of its dissolution.