

Municipal Authority under Corporation

46. Municipal authorities: -

The municipal authorities charged with carrying out the provisions of this Act shall be -

- (a) the Corporation;
- (b) the Finance and Contract Committee; and
- (c) the Commissioner.

47. Appointment of Commissioner:-

(1) The Government shall, by notification in the Official Gazette, appoint a Class I officer, of the Government a minimum service as such of ten years as the Commissioner of the Corporation.

(2) Subject to the provisions of Section (3), the Commissioner so appointed shall hold office for a term of three years in the first instance:

Provided further that his appointment may be renewed for a term not exceeding three years:

Provided further that no officer Who has attained such age of super annuation as may from time to time be fixed by the Government shall be appointed or continue as Commissioner.

(3) The Government -

(a) shall recall the Commissioner fiat a special meeting of the Corporation called for the purpose a resolution for such recall has been passed by a majority of not less than two-thirds of the total number of members;

(b) may recall the Commissioner at any time during the term of his appointment by giving a notice of at least one month to the Corporation.

48. Salary and allowances of Commissioner: -

The Commissioner shall be paid out of the Corporation Fund such monthly salary and such monthly allowances, if any. As may from time to time be fixed by the Government and may be given such facilities (if any) in relation to residential accommodation, conveyance and the like as may from time to time be fixed by the Government.

49. Leave of absence of Commissioner:-

(1) Leave may be granted to the Commissioner by the Government.

(2) Whenever such leave is granted to the Commissioner the Government shall appoint another person to officiate as Commissioner in his place.

50. Appointment of officiating Commissioner in case of death, resignation or removal of Commissioner:-

If any vacancy occurs in the office of the Commissioner on account of death, resignation or removal, the

Government may appoint another person to officiate as Commissioner in his place for a term not exceeding two months, pending the appointment of a Commissioner under Section 47.

51. Contribution by Corporation:-

The Corporation shall make such contribution towards leave, allowances, pension and provident fund of the Commissioner as may be required by the conditions of his service under the Government.

52. Functions of Commissioner:-

Save as otherwise provided in this Act, the entire executive power for the purpose of carrying out the provisions of this Act and of any other Act for the time being in force which confers any power or imposes any duty on the Corporation, shall vest in the Commissioner who shall also

(a) exercise all the powers and perform all the duties specifically conferred or imposed upon him by this Act or by any other law for the time being in force

(b) prescribe the duties of and exercise supervision and control over the acts and proceedings of all Corporation officers and other Corporation employees, and subject to any rules that may be made under

section 7 l, dispose of all questions relating to the service of the said officers and other employees and their pay, privileges, allowances and other conditions of service;

(c) on the occurrence or threatened occurrence of any sudden accident or any unforeseen event or natural calamity involving or likely to involve extensive damage to any property of the Corporation, or

danger to human life, take such immediate action as he considers necessary and make a report forthwith to the Corporation of the action he has taken and the reasons for the same as also of the amount of cost. If any, incurred or likely to be incurred in consequence of such action, which is not covered by a budget-grant.

53. Power of Corporation to require Commissioner to produce documents and furnish returns, reports, etc:-

(1) The Corporation may at any time require the Commissioner -

(a) to produce any record, correspondence, plan or other document which is in his possession or under his control as Commissioner or which is recorded or filed in his office or in the office of any Corporation officer or other Corporation employee subordinate to him;

(b) to furnish any return, plan, estimate, statement, account of statistics concerning or connected with any matter pertaining to the administration of this Act or the municipal Government of the City;

(c) to furnish a report by himself or to obtain from any Corporation officer or other employee subordinate to him and furnish with his own remarks thereon, a report, upon any subject concerning or connected with the administration of this Act or the municipal Government of the City.

(2) Every such requisition shall be complied with by the Commissioner without any unreasonable delay; and it shall be incumbent on every Corporation officer and other Corporation employee to obey any order made by the Commissioner in pursuance of any such requisition:

Provided that the Commissioner shall not be bound to comply with any such requisition

If with the previous approval of the Mayor he makes a statement that such compliance would be prejudicial to public interest or to the interests of the Corporation.

54. Exercise of powers to be subject to sanction: - Save as otherwise provided in this Act. the exercise of any power or the performance of any duty conferred or imposed upon the Corporation or any municipal authority by or under this Act, which will involve expenditure, shall be subject to the following conditions, namely :-

(a) that such expenditure, in so far as it is to be incurred in the year in which such power is exercised or duty performed, shall be provided for under a current budget grant; and

(b) that if the exercise of such power or the performance of such duty involves or is likely to involve expenditure for any period or at any time after the close of the said year, such expenditure shall not be incurred without the sanction of the Corporation, if it is incurred at any time after the next following year