

Board to assume management of requisitioned lands.

38. The Board shall, subject to the general control of the State Government, assume management of all such lands requisitioned or continued to be subject to requisition, by or under the authority of the State Government under the Assam Requisition and Acquisition Act, 1964 or by or under any corresponding law for the time being in force, as the State Government may direct.

Reconstitution of plots.

39. A housing scheme may provide—

- (a) for the formation of a reconstituted plot by the alterations of the boundaries of an original plot ;
- (b) with the consent of the owners that two or more original plots each of which is held in ownership in severally or in joint ownership shall, with or without alteration of boundaries be held in ownership in common as a reconstituted plot ;
- (c) for the allotment of a plot to any owner dispossessed of land in furtherance of the housing scheme ; and
- (d) for the transfer of ownership of a plot from one person to another with the consent of such persons.

Power to exempt Schemes from provisions of sections 26 to 31.

40. The State Government may, by general or special order published in the official Gazette, exempt any housing scheme undertaken by the Board from all or any of the provisions of sections 26 to 31 subject to such conditions, if any, as it may impose or may direct that any such provision shall apply to such scheme with such modifications as may be specified in the order.

CHAPTER IV

Acquisition and Disposal of Land

Power to purchase or lease by agreement.

41. (1) The Board may enter into an agreement with any person for the acquisition from him by purchase, lease or exchange, of any land which is needed for the purposes of a housing scheme or any interest in such land or for compensating the owners of any such right in respect of any deprivation thereof or interference therewith.

(2) The Board may also take steps for the compulsory acquisition of any land or any interest therein required for the execution of a housing scheme in the manner provided in the Land Acquisition Act and the acquisition of any land or any interest thereto for the purposes of this Act shall be deemed to be acquisition for a public purpose within the meaning of the Land Acquisition Act.

Betterment charges.

42. (1) When by the making of a housing scheme any land in the area comprised in the scheme will, in the opinion of the Board be increased in value, the Board in framing the scheme may declare that betterment charges shall be payable by the owner of the land or person having an interest therein in respect of the increase in value of the land from the execution of the scheme.

(2) Such increase in value shall be the amount by which the value of the land on the completion of execution of the scheme estimated as if the land were clear of the buildings exceeds the value of the land prior to the execution of the scheme estimated in like manner and the betterment charges shall be one half of such increase in value.

(3) Such betterment charges shall also be leviable in respect of any land not comprised in the scheme but adjacent to the area comprised in the scheme.

Explanation.—For the purpose of this sub-section the State Government may on the recommendation of the Board, by notification in the official Gazette, declare such land which is situated near or contiguous or adjacent to any land comprised in a scheme to be adjacent to the area comprised in such scheme.

Notice to persons liable for betterment charges.

43. (1) The Board shall give notice in the prescribed form to any person who is the owner of or has interest in the land in respect of which the betterment charges are to be levied and shall give such person an opportunity to be heard.

(2) After hearing such person or if such person fails to appear after the expiry of the period within which such person is required to appear before the Board, the Board shall proceed to assess the amount of betterment charges.

(3) Where the assessment of betterment charges proposed by the Board is accepted by the person concerned within the period prescribed, the assessment shall be final.

(4) If the person concerned does not accept the assessment proposed by the Board the matter shall be referred to the Tribunal.

(5) The Tribunal shall, after holding an inquiry and after hearing the person concerned, assess the amount of the betterment charges payable by the person.

Agreement for payment of betterment charges.

44. (1) Any person liable to pay betterment charges respect of any land may at his option, instead of paying the same to the Board, execute an agreement with the Board to leave the payment outstanding as a charge on his interest in the land, subject to the payment in perpetuity of interest at such rate as may be prescribed.

(2) Every payment due from any person in respect of betterment charges and every charge referred to in sub-section (1) shall notwithstanding anything contained in any other enactment and notwithstanding the execution of any mortgage or charge created either before or after the commencement of this Act, be the first charge upon the interest of such person in such land.

Recovery of betterment charges.

45. All sums payable in respect of any land by any person in respect of betterment charges under section 42 or by any person under an agreement under section 44 shall be recoverable on behalf of the Board as an arrear of land revenue.

Power to dispose of land.

46. Subject to any rules made by the State Government under this Act, the Board may retain, lease, sell, exchange or otherwise dispose of, any land, any building or other property vesting in it and situate in the area comprised in housing scheme permitted under this Act.

Disputes regarding reconstitution of plots.

47. (1) Where by the making of a housing scheme, any plot comprised in the area included in the scheme are reconstituted or any person is dispossessed, any person affected by such reconstitution or dispossession may apply to the Board for compensation. The Board may, after making such inquiry as it thinks fit, decide whether the applicant is entitled to any compensation and if so to what extent. If the person is dissatisfied with the decision of the Board in the matter, he may inform the Board accordingly. The Board shall thereupon refer the matter to the Tribunal.

(2) The Tribunal shall then after making an inquiry determine the amount of compensation and direct the Board to pay the same to the person entitled.

CHAPTER V

Tribunal

48. (1) Notwithstanding anything contained in the Land Acquisition Act, 1894 the Government may constitute a Tribunal for the purpose of performing the functions of the court with reference to the acquisition of land for the Board under the said Act, for deciding disputes relating to levy or assessment of betterment charge and for deciding such other matters as may be prescribed.

Constitution
of a Tribu-
nal for cer-
tain purpose

Central Act 1
of 1894

(2) The Tribunal shall consist of one person only who shall be a judicial officer not below the rank of District Judge or possessing qualifications to be appointed as a District Judge.

(3) The Tribunal shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908.

Central Act
V of 1908.

49. The Tribunal may, with the previous sanction of the Government, appoint such officers and employees as it considers necessary for carrying on its business, and the remuneration and other conditions of services of such officers and employees shall be such as may be prescribed.

Officers and
Board on
employees of
the Tribunal

50. The amount necessary for the payment of remuneration, salaries, allowances and other contributions payable to the Tribunal and the officers and employees of the Tribunal shall be paid out of the funds of the Board, with the prior approval of the Government.

Payments by
account of
Tribunal.

51. (1) Notwithstanding anything to the contrary in the Land Acquisition Act, 1894 the award of the Tribunal in relation to the acquisition of land shall be deemed to be the award of the court under the said Act.

Appeals from
awards of
Tribunal.

Central Act
1 of 1894.

(2) Any person who does not agree to the amount of the compensation awarded by the Tribunal for the land acquired for the Board under the Land Acquisition Act, 1894 or to the persons to whom it is payable or to the apportionment of the compensation among those persons may, within sixty days from the date of the award of the Tribunal prefer an appeal to the Gauhati High Court :

Central Ac
I of 1894

Provided that the High Court may entertain the appeal after the expiry of the said period if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

Awards and orders of Tribunal to be executed by Civil Courts.

52. Every award of the Tribunal and every order made by the Tribunal for the payment of money, for the delivery of possession or removal of any structure shall be enforced by the Assistant District Judge's Court having jurisdiction over the area in which the land concerned in the proceeding of the Tribunal is situated as if it were the decree of the said Court.

CHAPTER VI

Power to evict persons from Board premises

Appointment of competent authorities.

53. The State Government may, by notification in the official Gazette, appoint an officer who holds or has held office which, in its opinion, is not lower in rank than that of a Deputy Commissioner or an Executive Engineer, to be the competent authority for performing the functions of the competent authority under this Chapter in such area, or in respect of such premises or class of premises, as may be specified in the notification, and more than one officer may be appointed as competent authority in the same area in respect of different premises or different classes of premises.

Power to evict certain persons from Board premises.

54. (1) If the competent authority is satisfied—

- (a) that the person authorised to occupy any Board premises has,
 - (i) not paid rent lawfully due from him in respect of such premises for a period of more than two months, or
 - (ii) sub-let, without the permission of the Board, the whole or any part of such premises, or
 - (iii) committed, or is committing any act contrary to the provisions of clause (o) of section 108 of the Transfer of Property Act, 1882, or
 - (iv) made, or is making, material additions to or alterations, in such premises without the previous written permission of the Board, or
 - (v) otherwise acted in contravention of any of the terms express or implied, under which he is authorised to occupy such premises, or
- (b) that any person is in unauthorised occupation of any Board premises, the competent authority may, notwithstanding anything contained in any law for the time being in

force, by notice served (i) by post, or (ii) by affixing a copy of it on the outer door or some other conspicuous part of such premises, or (iii) in such other manner as may be prescribed, order that person as well as any other person who may be in occupation of the whole or any part of the premises, shall vacate them within one month of the date of the service of the notice.

(2) Before an order under sub-section (1) is made against any person the competent authority shall inform the person by notice in writing of the grounds for which the proposed order is to be made and give him a reasonable opportunity of tendering an explanation and producing evidence, if any, and to show cause why such order should not be made, within a period to be specified in such notice. If such person makes an application to the competent authority for extension of the period specified in the notice, the competent authority may grant the same on such terms as to payment and recovery of the amount claimed in the notice as he deems fit. Any written statement put in by such person and documents produced in pursuance of such notice shall be filed with the record of the case and such person shall be entitled to appear before the Officer proceeding in this connection by advocate, attorney or pleader. Such notice in writing shall be served in the manner provided for service of notice under sub-section (1).

(3) If any person refuses or fails to comply with an order made under sub-section (1), the competent authority may evict that person from, and take possession of, the premises and may for that purpose use such force as may be necessary.

(4) If a person, who has been ordered to vacate any premises under sub-clause (i) or (v) of clause (a) of sub-section (1) within one month of the date of service of the notice or such longer time as the competent authority may allow, pays to the Board the rent in arrears or carries out or otherwise complies with the terms contravened by him, to the satisfaction of the competent authority, as the case may be, the competent authority shall, in lieu of evicting such person under sub-section (3), cancel its order made under sub-section (1) and thereupon such person shall hold the premises on the same terms on which he held them immediately before such notice was served on him

Explanation.— For the purposes of this section and section 55 the expression "unauthorized occupation", in relation to any person authorized to occupy any Board premises, includes the continuance in occupation by him or by any person claiming through or under him of the premises after the authority under which he was allowed to occupy the premises has been duly determined.

Power to recover rent or damages as arrears of land revenue.

55. (1) Subject to any rules made by the State Government in this behalf and without prejudice to the provisions of section 54 where any person is in arrears of rent payable in respect of any Board premises, the competent authority may, by notice served (i) by post, or (ii) by affixing a copy of it on the outer door or some other conspicuous part of such premises, or (iii) in such other manner as may be prescribed, order that person to pay the same within such time not less than fifteen days as may be specified in the notice. If such person refuses or fails to pay the arrears of rent within the time specified in the notice, such arrears may be recovered as arrears of land revenue.

(2) Where any person is in unauthorised occupation of any Board premises, the competent authority may, in the manner, and having regard to the principles of assessment of damages, prescribed in this behalf, assess such damages on account of the use and occupation of the premises as it may deem fit, and may by notice served (i) by post, (ii) by affixing a copy of it on the outer door or some other conspicuous part of such premises, or (iii) in such other manner as may be prescribed, order that person to pay the damages within such time as may be specified in the notice. If any person refuses or fails to pay the damages within the time specified in the notice, the damages may be recovered from him as arrears of land revenue.

(3) No order shall be made under sub-section (2) until after the service of a notice in writing to the person calling on him to show cause, within a reasonable period to be specified in such notice, why such order should not be made, and until his objections, if any, and any evidence he may produce in support of the same have been considered by the competent authority.

Rent to be recovered from deductions from salary of wages in certain cases.

56. (1) Without prejudice to the provisions of section 55, any person who is an employee of the State Government or a local authority and who has been allotted any Board premises, may execute an agreement in favour of the State Government or any local authority, as the case may be, providing that the State

Government or the local authority, as the case may be, under or by whom he is employed, shall be competent to deduct from the salary or wages payable to him such amount as may be specified in the agreement and to pay the amount so deducted to the Board in satisfaction of the rent due by him in respect of the Board premises allotted to him.

(2) On the execution of such agreement, the State Government or local authority, as the case may be, shall, if so required by the Board by requisition in writing make the deduction of the amount specified in the requisition from the salary or wages of the employee specified in the requisition in accordance with the agreement and pay the amount so deducted to the Board :

Provided that no such agreement in favour of the local authority by the employee concerned shall be valid unless such local authority has agreed in writing to make such deduction on account of rent from the salary or wages of the employee.

Appeal

57. (1) Any person aggrieved by an order of the competent authority under section 54 or section 55 may, within one month of the date of the service of the notice under section 54 or section 55, as the case may be, prefer an appeal to the State Government :

Provided that the State Government may entertain the appeal after the expiry of the said period of one month, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1) the State Government may, after calling for a report from the competent authority, and after hearing the appellant and making such further inquiry, if any, as may be deemed necessary, pass such orders as it thinks fit and the order of the State Government shall be final.

(3) Where an appeal is preferred under sub-section (1), the State Government may stay the enforcement of the order of the competent authority for such period and on such conditions as it thinks fit.

Bar of Jurisdiction of Civil Courts.

58. No order made by the State Government or the competent authority in the exercise of any power conferred by or under this Chapter shall be called in question in any civil court and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Chapter.

CHAPTER VII

Finance, Accounts and Audit

Board's Fund.

59. (1) The Board shall have its own fund.

(2) The fund of the Board shall consist of—

- (i) all grants, subventions, donations and gifts received from the Central or State Government or a local authority or any individual or body, whether incorporated or not, for all or any of the purposes of this Act, and
- (ii) all moneys received by or on behalf of the Board by virtue of this Act, all proceeds of land or any other kind of property sold by the Board, all rents, betterment charges and all interest, profit and other moneys accruing to the Board.

(3) Except as otherwise directed by the State Government, all moneys, and receipts specified in the foregoing provisions and forming part of the fund of the Board shall be deposited in the Reserve Bank of India or in any scheduled bank or invested in such securities as may be approved by the State Government.

(4) Such amounts shall be operated upon by such officers as may be authorised by the Board.

*Explanation:—*For the purposes of this section the Reserve Bank of India shall mean the Reserve Bank of India constituted under the Reserve Bank of India Act, 1934 and a scheduled bank shall mean a bank included in the Second schedule to the said Act.

Application of the fund.

60. All property, fund and all other assets vesting in the Board shall be held and applied by it, subject to the provisions and for the purposes of this Act.

Expenditure in case of urgency.

61. (1) Where in the opinion of the Board, circumstances of extreme urgency have arisen it shall be lawful for the Board to make in any year,—

- (a) recurring expenditure not exceeding twenty-five thousand rupees,
- (b) non-recurring expenditure not exceeding one lac of rupees.

(2) Where any sum is expended under circumstances of extreme urgency as provided in sub-section (1), a report thereof indicating the source from which it is proposed to meet the expenditure shall be made by the Board as soon as practicable to the State Government.

Subvention and loans to the Board.

62. (1) The State Government may from time to time make subvention to the Board for the purposes of this Act on such terms and conditions as the State Government may determine.

(2) The State Government may from time to time advance loans to the Board on such terms and conditions not inconsistent with the provisions of this Act as the State Government may determine.

Expenditure of the State Government to be treated as loan or grant to the Board.

63. (1) The State Government may, with prior consultation with the Board, at any time, declare that any expenditure incurred by it and any proceeding initiated by it, either before or after the constitution of the Board, shall be expenditure incurred or proceedings initiated, on behalf of the Board and upon such declaration, amount equivalent to such expenditure shall be deemed to have been given by the Government to the Board as loan with effect from such date as the State Government may appoint, provided that the State Government may give such amount as grant to the Board instead of as loan.

(2) On a declaration being made under sub-section (a) above, such assets and liabilities as may have been created or as may have accrued as a result of the expenditure in respect of which a declaration have been made under sub-section (4), shall vest in the Board.

Power of Board, to borrow.

64. (1) The Board may, from time to time, with the previous sanction of the State Government and subject to the provisions of this Act and to such conditions, as may be prescribed in this behalf, borrow any sum required for the purposes of the Act.

(2) The rules made by the State Government for the purposes of this section may empower the Board to borrow by the issue of debentures and to make arrangements with bankers.

(3) All debentures issued by the Board shall be in such form as the Board, with the sanction of the State Government, may from time to time determine.

(4) Every debenture shall be signed by the Chairman and one other member of the Board.

(5) Loans borrowed and debentures issued under this section may be guaranteed by the State Government as to the repayment of principal and the payment of interest at such rate as may be fixed by the State Government.

Account and
audit.

65. (1) The Board shall cause to be maintained proper books of accounts and such other books as the rules may require and shall prepare in accordance with the rules an annual statement of accounts.

(2) The Board shall cause its accounts to be audited annually by such person as the State Government may direct. The person so directed shall have the right to demand the production of books, accounts, and connected voucher, documents and papers, and to inspect any of the offices of the Board.

(3) As soon as the accounts of the Board have been audited, the Board shall send a copy thereof together with a copy of the report of the auditor thereon to the State Government and shall cause the accounts to be published in the prescribed manner and place copies thereof on sale at a reasonable price.

(4) The Board shall comply with such directions as the State Government may after perusal of the report of auditor think fit to issue.

Concurrent and
special audits of
accounts.

66. (1) Notwithstanding anything contained in Section 65, the State Government may order that there shall be a concurrent audit of the accounts of the Board by such person as it thinks fit. The State Government may also direct a special audit to be made by such person as it thinks fit of the accounts of the Board relating to any particular transaction or a class or series of transactions or to a particular period.

(2) When an order is made under sub-section (1), the Board shall present or cause to be presented for audit such accounts and shall furnish to the person appointed under sub-section (1) such information as the said person may require for the purpose of audit and remedy or cause to be remedied the defects pointed out by such person, unless they are condoned by the State Government.

CHAPTER VIII

Miscellaneous

Reports

67. The Board shall, before such date and in such form and at such interval as may be prescribed, submit to the State Government a report on such matters as may be prescribed and the State Government shall cause such report to be published in the official Gazette. Every such report shall be laid before the House of the State Legislature as soon as may be after it is published.

Other statement
and returns

68. The Board shall also submit to the State Government such statistics, returns, particulars, statements, documents or papers in regard to any proposed or existing scheme or relating to any matter or proceedings connected with the working of the Board at such times and in such form and manner as may be prescribed or as the State Government may from time to time direct.

Power and entry

69. The Chairman or any person either generally or specially authorised by the Chairman in this behalf may, with or without assistants or workmen, enter into or upon any land, in order—

- (a) to make any inspection, survey, measurement, valuation or inquiry ;
- (b) to take levels ;
- (c) to dig or bore into the sub-soil .
- (d) to set boundaries and intended lines of work;
- (e) to make such levels, boundaries and lines of works and cutting trenches ; or
- (f) to do any other thing ;

whenever it is necessary to do so for any of the purposes of this Act or any rules made or scheme sanctioned thereunder :

Provided as follows :

(i) no such entry shall be made between sunset and sunrise ;

(ii) no dwelling house and no public building which is used as a dwelling place, shall be so entered except with the consent of the occupier thereof, and without giving the said occupier at least twenty-four hours' previous written notice of the intention to make such entry ;

(iii) sufficient notice shall in every instance be given, even when any premises may otherwise be entered without notice to enable the inmates of any apartment appropriated to females to remove themselves to some part of the premises where their privacy will not be disturbed ;

(iv) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the premises entered.

Notice of suit
against Board.

70. No person shall file any suit against the Board or against any officer or employee of the Board or any person acting under the orders of the Board, for anything done or purporting to have been done in pursuance of this Act, without giving to the Board, officer or employee or person two month's previous notice in writing of the intended suit and of the cause thereof, nor after six months from the date of the act complained of.

Valuation of assets
and liabilities of the
Board.

71. The Board shall at the end of every five years have a valuation of its assets and liabilities made by a valuer appointed with the approval of the State Government :

Provided that it shall be open to the State Government to direct a valuation to be made at any time it may consider necessary.

Power to make
rules.

72. (1) The State Government may, by notification in the official Gazette and subject to the condition of previous publication, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for all or any of the following matter, namely:—

- (a) the allowances of members and remuneration and conditions of service of the Chairman under section 7 ;
- (b) the manner and form in which contracts shall be entered into under section 22 ;
- (c) the form of the annual budget to be laid before the Board under section 26 and the other particulars to be contained therein ;
- (d) the manner of publication of housing schemes included in the budget under section 30 :

- (e) the form of notice under section 43 ;
- (f) the rate of interest under section 44 ;
- (g) the other matters to be decided by the Tribunal under section 49 .
- (h) the forms of notices under sections 54 and 55 and any other manner in which they may be served ;
- (i) the procedure to be followed in taking possession of any Board premises under section 54 ;
- (j) the manner in which damages under section 55 may be assessed ;
- (k) the manner in which appeals may be preferred under section 57 and the procedure to be followed in such appeals ;
- (l) the conditions subject to which the Board may borrow any sum under section 64 ;
- (m) the manner of preparation, maintenance and publication of accounts under section 65 ;
- (n) the date before which, the form in which, the interval at which and the matters on which reports shall be submitted under section 67 ;
- (o) the time at which and the form and manner in which statistics, returns, particulars, statements, documents and papers shall be submitted under section 68 ;
- (p) the manner in which the Board shall be superseded and reconstituted under section 83 ;
- (q) any other matter which is or may be prescribed under this Act ;

(3) All rules made under this section shall be laid as soon as may be, after they are made, before the Assam Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Assam Legislative Assembly agree in making any modification in the rule or the Assam Legislative Assembly

agree that no rules should be made, the rules shall thereafter, have effect only in such modified form or be of no effect, as the case may be; provided that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rules.

Regulations

73. (1) The Board may from time to time, with the previous sanction of the State Government, make regulations consistent with this Act and rules—

- (a) for the management and use of buildings constructed under any housing scheme;
- (b) the principles to be followed in allotment of tenements and premises ;
- (c) the remuneration and conditions of service of the other officers and employees of the Board under section 14 ;
- (d) for regulating its Procedure and disposal of its business.

(2) If it appears to the State Government that it is necessary or desirable for carrying out the purposes this Act to make any regulation in respect of matters specified in sub-section (1) or to amend any regulation made under that sub-section, it may call upon the Board to make such regulation or amendment within such time as it may specify. If the Board fails to make such regulation or amendment within the time specified, the State Government may itself make such regulation or amendment and the regulation or the amendment so made shall be deemed to have been made by the Board under sub-section (1).

Power to make bye laws.

74. (1) The Board may make bye-laws, not inconsistent with this Act, which may be necessary or expedient for the purpose of carrying out its duties and functions under this Act.

(2) A bye-law made under this section may provide that a contravention thereof shall be an offence.

(3) No bye-laws made by the Board shall come into-force until it has been confirmed by the State Government with or without modification.

(4) All bye-laws made under this section shall be published in the official Gazette.

Penalty for contravention of bye-laws. 75. Whoever contravenes a bye-law made under section 74 shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

Penalty or obstruction, etc. 76. If any person—

(a) obstructs, or molests any person with whom the Board has entered into a contract, in the performance or execution by such person of his duty or of anything which he is empowered or required to do under this Act, or

(b) removes any marks set up for the purpose of indicating any level or direction necessary to the execution of works authorised under this Act,

he shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

Penalty for obstructing exercise of powers under Chapter VI. 77. Any person who obstructs the lawful exercise of any power conferred by or under Chapter VI shall, on conviction, be punished with fine which may extend to one thousand rupees.

Authority for prosecution. 78. Unless otherwise expressly provided, no Court shall take cognisance of any offence punishable under this Act except on the complaint of, or upon information received from, the Board or some person authorised by the Board by general or special order in this behalf.

Members, officers, and employees of the Board to be public servants. 79. All members, officers and employees of the Board shall be deemed when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

Protection of action taken under this Act. 80. No suit, prosecution or other legal proceedings shall lie against any person for anything done in good faith or purported to be done under this Act.

Governments
power to give
directions to
Board.

81. The State Government may give the Board such directions as in its opinion are necessary or expedient for carrying out the purposes of this Act.

It shall be the duty of the Board to comply with such directions.

Power to order
inquiries.

82. (1) The State Government with a view to satisfy itself that the powers and duties of the Board are being exercised and performed properly, may, at any time, appoint any person or persons to make inquiries into all or any of the activities of the Board and to report to the State Government the result of such inquiries.

(2) The Board shall give to the person or persons so appointed all facilities for the proper conduct of the inquiries and shall produce before the person or persons any document, account or information in the possession of the Board, which such person or persons demand for the purposes of the inquiries.

Default in
performance of
duty and super-
session.

83 (1) If the State Government is satisfied that the Board has made default in performing any duty imposed on it by or under this Act, it may fix a period for the performance of that duty.

(2) If in the opinion of the State Government the Board fails or neglects to perform such duty within the period so fixed for its performance, it shall be lawful for the State Government, notwithstanding anything contained in Section 8, to supersede and reconstitute the Board in the prescribed manner.

(3) After the supersession of the Board and until it is reconstituted the powers, duties and functions of the Board under this Act shall be carried on by the State Government or by such officer or officers as the State Government may appoint for this purpose.

Dissolution of
the Board.

84. (1) The State Government may, if it is satisfied in public interest to do so, by a notification in the official Gazette, declare that, with effect from such date as may be specified in the notification, the Board shall stand dissolved.

(2) With effect from the date specified in the notification under sub-section (1),—

- (a) all properties, funds and dues which are vested in or realizable by the Board shall vest in and be realizable by the State Government ;
- (b) all liabilities enforceable against the Board shall be enforceable against the State Government to the extent of the properties, funds and dues vested in and realized by the State Government.
- (3) Nothing in this section shall effect the liability of the State Government in respect of loans or debentures guaranteed under sub-section (5) of Section 64.