

The Telangana Panchayat Raj (Election of Upa-Sarpanch of a Gram Panchayat) Rules, 2018

TELENGANA

India

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Rule

THE-TELANGANA-PANCHAYAT-RAJ-ELECTION-OF-UPA-SARPANCH of 2018

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The Telangana Panchayat Raj (Election of Upa-Sarpanch of a Gram Panchayat) Rules, 2018 Published vide Notification No. G.O.Ms.No.25 Panchayat Raj and Rural Development (Pts.3) department, dated 19.5.2018 G.O.Ms.No.25 Panchayat Raj and Rural Development (Pts.3) department, dated 19.5.2018. - In exercise of the powers conferred by clause (i) of sub-section (2) of section 286 read with sub-sections (9) and (10) of Section 15 of the Telangana Panchayat Raj Act, 2018 (Act No.5 of 2018) the Governor of Telangana hereby makes the following Rules relating to conduct of election of Upa-Sarpanch of Gram Panchayat.

1. Short title.

- These rules may be called the Telangana Panchayat Raj (Election of Upa-Sarpanch of a Gram Panchayat) Rules, 2018.

2. Definitions.

(1) In these rules unless the context otherwise requires, (a) "Act" means the Telangana Panchayat Raj Act, 2018; (b) "Form" means a Form appended to these rules; (2) The words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. Convening of Special Meeting.

(1)The election of the Upa-Sarpanch of a Gram Panchayat shall be held in the Office of the Gram Panchayat on the same date on which the results of the ordinary election of the Gram Panchayat are published at a meeting of the Members specially convened for the purpose notice for which shall be given in Form - I: Provided that the District Panchayat Officer or any person authorised by him may direct that the meeting for the election of the Upa-Sarpanch shall be held at such place as may be specified by him, other than the office of the Gram Panchayat if its office is located in the house of any Member of the Gram Panchayat or if it is not convenient to hold the meeting in the office of the Gram Panchayat: Provided further that if for any reason the election of the Upa-Sarpanch is not held on the date aforesaid the special meeting for the election of Upa-Sarpanch shall be held on the next day whether or not it is a holiday observed by the Gram Panchayat: Provided also that the State Election Commissioner may from time to time, for the reasons to be recorded in writing, direct or permit the holding of the election of the Upa-Sarpanch on any other day. (2) The meeting referred to in sub-rule (1) shall be presided over by the Returning Officer appointed for conducting ordinary election to the office of Sarpanch and Ward Members of the Gram Panchayat.

4. Quorum.

- The first and second meetings specially convened for the election of Upa- Sarpanch, shall not be held, unless there be present within one hour from the time appointed for the meeting not less than one-half of the total number of members of the Gram Panchayat inclusive of its Sarpanch. However, the subsequent Meeting or Meetings convened for this purpose, shall be conducted, even if there is no quorum. Explanation. - In determining 'one-half of the total number of Members' under this sub-rule, any fraction arrived at, shall be construed as one.

5. Manner of Election.

(1) Any Member may propose only one of the Members for election as Upa-Sarpanch duly seconded by another. The names of all the candidates duly proposed and seconded shall be read out by the Presiding Officer of the meeting. The contesting candidates shall be given thirty minutes time for withdrawal. (2) If there is only one validly nominated candidate she/he shall be declared to have been elected. (3) If there are two or more candidates, an election shall be held by show of hands and votes of the members present at the meeting shall be taken. (4) The Presiding Officer shall, thereafter, record the number of votes polled, for each such candidates ascertained by show of hands. He shall then announce the number of votes secured by each candidate and shall declare the candidate who secured the highest number of votes, as elected. (5) In the event of there being an equality of votes among the candidates, the Presiding Officer shall draw lots in the presence of the members and the candidate whose name is first drawn shall be declared to have been duly elected. (6) The candidate as also the Sarpanch shall also be entitled to vote at the election.

6. Record of Proceedings.

- Immediately after the meeting, the Presiding Officer shall -(a)prepare a record of the proceedings at the meeting and sign it, attesting with his initials every correction made therein and also permit any member present at the meeting to affix her/his signature to such record if she/he expresses her/his desire to do so; and(b)publish a notice signed by self stating, the name of the person elected as Upa-Sarpanch on the notice board of the Gram Panchayat if there is one or in a conspicuous place in the village and send a copy of such notice to the District Panchayat Officer, District Collector, Commissioner of Panchayat Raj and State Election Commission. A copy of such notice shall also be given to the candidate who is declared elected as Upa-Sarpanch.

7. Filling up of casual vacancy.

(1)A casual vacancy in the Office of Upa- Sarpanch shall be filled within a period of six months from the date of occurrence of such vacancy:Provided that, before a casual election of Upa-Sarpanch is held, every casual vacancy in the office of an elected member of a gram Panchayat shall be filled.However, in the event of a vacancy in the office of an elected member of Gram Panchayat occurs for any reason after the issue of Upa-Sarpanch casual election notification by the State Election Commission, the election to the office of Upa-Sarpanch shall not be stalled and shall be conducted as per the schedule.(2)A meeting of the Gram Panchayat for the purpose shall be convened by a person authorised by the District Panchayat Officer who shall be not below the rank of Revenue Inspector. Notice of the day and hour of meeting shall be given at least three clear days prior to the day of meeting in Form - II.(3)Rules 4, 5 and 6 shall apply for filling up of a casual vacancy also in all other respects.

Form - I

Notice of The Meeting for The Election of Upa-Sarpanch, Gram Panchayat[See Rule 3(1)]

Notice is hereby given to Sri/Smt/Kum Sarpanch / Member of the Gram Panchayatwho has been declared as such in the ordinary election held today that a special meeting of the Sarpanch and Members of the Gram Panchayat will also be held today i.e., on (date) at (time) at (place)..... for the election of the Upa-Sarpanch, Gram Panchayat.If for any reason, election is not held on the aforesaid date, it shall be held at (time)..... on the next day i.e, on (date).....whether or not it is a holiday observed by the Gram Panchayat.The Sarpanch / Member is requested to make it convenient to attend the meeting.

Place:Date:Signature of Returning OfficerDesignation.

ToSri / Smt/ Kum.....Sarpanch / Member of Gram Panchayat.....Form - II[See Rule 7 (2)]

Notice of The Meeting For Casual Election of UPA-Sarpanch, Gram Panchayat

Notice is hereby given to Sri/Smt/Kum Sarpanch / Member of Gram Panchayat..... that a meeting of the Sarpanch / Members of Gram Panchayat will be held at (time) on (date) at (place)..... for the election of Upa-Sarpanch to fill up the casual vacancy.If for any reason, election is not held on the aforesaid date, it shall be held at the same time on the next day whether or not it is a holiday observed by the Gram Panchayat.The Sarpanch / Member is requested to make it convenient to attend the meeting.

Place:Date:Signature.Designation

ToSri / Smt./ Kum.....Sarpanch / Member of Gram Panchayat.....