

# **The Rajasthan Municipalities (Election of Temporary Chairman/President) Rules, 1959**

RAJASTHAN

India

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### **Rule**

### **THE-RAJASTHAN-MUNICIPALITIES-ELECTION-OF-TEMPORARY-CHA of 1959**

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The Rajasthan Municipalities (Election of Temporary Chairman/President) Rules, 1959Published vide Notification No. F. 4 (34) LSG/A/59, dated 4-11-1959, published in Rajasthan Rajpatra, Extraordinary, Part 4-C, dated 10-11-1959In exercise of the powers conferred by sub-section (1) of section 297 read with sub-section (7) of section 65 of the Rajasthan Municipalities Act, 1959 (Act No. 38 of 1959), the State Government hereby makes the following rules, namely :-

#### **1. Short title.**

- These rules may be called the Rajasthan Municipalities (Election of temporary Chairman/President) Rules, 1959.

#### **Part I – 2. Definitions.**

- In these rules, unless the context otherwise requires :-(1)"Act" means the Rajasthan Municipalities Act, 1959 (Act No. 38 of 1959).(2)"Commissioner" means the Commissioner of Municipal Council.(3)"Councillor" means any person who is lawfully Member of a Municipal Council.(4)"Executive Officer" means the Executive Officer of a Municipal Board.(5)"Member" means any person who is lawfully Member of a Municipal Board constituted under the Act.(6)"Secretary" means the Secretary of a Municipal Board or a Municipal Council, as the case may be.

## **Part II – 3. The Executive Officer/Secretary to convene a meeting for election of temporary Chairman.**

- A meeting of the members of the Municipal Board for the election of a temporary Chairman shall be convened by the Executive Officer or the Secretary, as the case may be, at the office of the Municipal Board whenever leave is granted to a Chairman and the office of the Vice-Chairman is also vacant.

### **4. Election of Presiding Member.**

- One of the member present and not standing as a candidate for the office of a temporary Chairman shall be elected by the members to preside over and conduct the election and the member so, elected shall hereinafter be referred to as the "Presiding Member".

### **5. Proposing and seconding of a candidate.**

- A candidate for the office of temporary Chairman shall be proposed by one member and seconded by another at the meeting.

### **6. Consent of the candidate necessary.**

(1)The candidate so proposed, if present at the meeting shall inform the presiding member whether he is willing to stand for such election or not.(2)If any such candidate is not present at the meeting, his proposer or seconder shall produce a letter of consent in the handwriting of the candidate and deliver it to the presiding member.

### **7. Reading out the names of the proposed candidates.**

- The names of all the candidates proposed and seconded and who have expressed their willingness to stand for election shall [x x x] [Omitted by No. F. 8 (114) LSG/61/Part III, dated 29-8-1962, published in Rajasthan Rajpatra, Part IV-C, dated 18-10-1962.] be read out by the presiding member at the meeting.

### **8. Rejection of candidature on certain grounds.**

- The presiding member may, on his own motion or on any objection made against the candidature, of any candidate by any member, and, after such summary enquiry, if any, as he may. deem necessary, reject such candidature, on any one or more of the following grounds, namely :-(a)that the proposer or seconder is a person who is not a member of the Municipal Board;(b)that the candidate suffers from any of the disqualifications mentioned in section 26 of the Act;(c)that the candidate has been removed from the membership of the Municipal Board under section 63 of the Act.

## **9. Mode of voting and result of election.**

(1) If there is only one duly proposed candidate, there shall be no election and such candidate shall be declared to have been duly elected. (2) If there are two or more such candidates, an election shall be held by show of hands and the votes of the members present at the meeting taken. (3) The candidate who secures the largest number of votes shall be declared to have been elected. (4) In the event of there being an equality of votes between two candidates who get the highest number of votes, the presiding member shall draw lots in the presence of the members and the candidates whose name is first drawn shall be declared to have been duly elected.

## **10. Withdrawal of candidature.**

- A candidate may withdraw at any stage before the declaration of the final result of the election.

## **11. Preparation of record of proceedings and publication of result of elections.**

- Immediately after the meeting, the presiding member 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 his signature to such record, if he express his desire to do so, and (b) publish on the notice board of the Municipal Board at its office a notification signed by him stating the name of the temporary chairman elected and send a copy of such notification to the Government, Collector and Director of Local Bodies, Rajasthan, Jaipur.

## **Part III – 12. Election of temporary President of a Municipal Council.**

- The provisions of rules 3 to 11 of Part II shall apply to the election of temporary President of a Municipal Council Subject to the following variations, namely :-(1) The references therein to the "Municipal Board" "Member" and "Members" wherever they occur shall be construed as references to "Municipal Council" "Councillor" and "Councillors" respectively. (2) The reference in rule 3 to the words "Executive Officer or Secretary, as the case may be" shall be construed as a references to "Commissioner".