

# **The Rules for Election of a Member to Appointments Committee of Madurai Corporation Council**

TAMILNADU

India

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### **Rule**

### **THE-RULES-FOR-ELECTION-OF-A-MEMBER-TO-APPOINTMENTS-COMMITTEE-OF-MADURAI-CORPORATION-COUNCIL-1972**

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The Rules for Election of a Member to Appointments Committee of Madurai Corporation Council Published vide Notification G.O. Ms. No. 2431, Rural Development Local Administration, dated 21st November, 1972 S.R.O. No. A. 1039 of 1972. - In exercise of the powers conferred by section 66 read with sub-section (1) of section 431 of the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971), the Governor of Tamil Nadu hereby makes the following rules for the election of a member to the Appointment Committee of the Madurai Corporation Council.

#### **1. Place of meeting.**

- When a member has to be elected to the appointments committee, such election shall be held in the office of the Corporation at a meeting of the members of the council (hereinafter referred to as "the members") specially convened by the Mayor for the said purpose.

#### **2. Notice of the meeting.**

- Notice of the day and hour of the meeting shall be given to the members at least four clear days previous to the date of the meeting. Such meeting shall be presided over by the Mayor, or in his absence, by the Deputy Mayor, by a member not intending to stand as a candidate at the election, chosen by the members present at the meeting to preside for the occasion (hereinafter referred to as "the president of the meeting").

### 3. Nomination of candidates.

- Every candidate for election as a member to the appointment committee shall be proposed by one member and seconded by another member. A candidate who has been proposed and seconded may withdraw his candidature by making statement to that effect at the meeting of the council at which the election is held. The names of all the candidates who have been proposed and seconded and who have not withdrawn their candidature shall be read out at the meeting.

### 4. Mode of election.

(1) If there is only one duly nominated candidate, he shall be considered to have been elected. (2) If the number of duly nominated candidates is two or more, the votes of members present at the meeting shall be taken by secret ballot. The Commissioner shall make adequate arrangements to secure the privacy of the ballot.

### 5. Method of voting.

(1) Every member wishing to vote shall be supplied with a ballot paper which shall be in the following form and shall bear on the reverse the signature facsimile of the president of the meeting. Counter Foil Number Election of a Member to the Appointments Committee Ballot Paper

Name of candidates	Cross-marks
1 .....	.....
2 .....	.....
3 .....	.....
4 .....	.....
5 .....	.....

(2) No candidate shall take part in a ballot; but a candidate may withdraw at any stage and after such withdrawal, he may take part in any ballot. Similarly, a candidate who has been eliminated at any stage may take part in any ballot at subsequent stages. (3) When a member has received a ballot paper, he shall take the ballot paper to the voting compartment provided for the purpose and shall place a cross mark on the ballot paper with the instrument supplied for the purpose against the name of the person for who he wishes to vote; he shall, then, fold the ballot paper so that the signature facsimile of the president of the meeting may be visible and having folded Up the ballot paper in such a manner as to enable the president of the meeting to see the signature facsimile shall drop the ballot paper in the ballot box, which shall be placed in front of the president of the meeting. (4) The ballot shall be so constructed that the ballot paper may be placed therein, but not extracted therefrom without the box being opened.

## **6. Supply of fresh ballot paper in certain circumstances.**

- If a member inadvertently spoils a ballot paper, he may return it to the president of the meeting, who shall, if he is satisfied of such inadvertence, give him another ballot paper and, retain the spoiled paper. The spoiled ballot paper shall immediately be cancelled and the fact of such cancellation shall be noted on its counter-foil.

## **7. Counting of votes.**

(1)The president of the meeting shall, at the end of the voting, open the box and count the votes in the presence of the members.(2)Any ballot paper-(i)which contains the signature or writing of any of the members; or(ii)on which the member has made cross marks against the names of more than one candidate, shall be rejected as invalid.

## **8. Preparation of result of election.**

(1)If there are only two candidates, the candidate who secures the large number of votes shall be declared to have been duly elected. In the event of there being an equality of votes between the two candidates, the president of the meeting shall decide by drawing lots in the presence of the members; and the candidate, whose name is first drawn shall be declared to have been duly elected.(2)If there are more than two candidates, the candidate who obtains the smallest number of votes shall be eliminated and the votes taken again. If there is an equality of votes among all the candidates, or if two or more candidates at the lowest of the list have obtained equal number of votes, the president of the meeting shall decide by drawing lots in the presence of the members which of such candidates shall be eliminated. The process of the elimination shall be repeated until two candidates only are left, when votes shall be taken for the last time; and the candidates shall be declared to have been duly elected. In the event of there being an equality of votes between the two remaining candidates, the president of the meeting 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.

## **9. Recording of proceedings.**

- Immediately after the meeting, the president of the meeting shall-(a)prepare a record of the proceedings at the meeting and sign it;(b)forward to the Commissioner the name of person elected and "also to the Director of Stationery and Printing, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] for publication in the Tamil Nadu Government Gazette.

## **10. Custody and disposal of ballot paper.**

(1)The president of the meeting shall, then, make up into a packet the unused ballot papers, the used ballot papers, whether valid or rejected, and all other papers relating to the election, seal up the packet and note thereon a description of its contents, the election to which it relates and the date

thereon and hand over the packet to the Commissioner for safe custody.(2)The packet shall not be opened and its contents, shall not be inspected or produced except under the orders of a competent Court.(3)The packet shall be retained in safe custody in the office of the Corporation for a year and shall, then, unless otherwise directed by the order of the competent Court, be destroyed.