

Andhra Pradesh Municipalities (Reservation of Seats in Municipal Councils and Nagar Panchayats) Rules, 1995

ANDHRA PRADESH

India

Andhra Pradesh Municipalities (Reservation of Seats in Municipal Councils and Nagar Panchayats) Rules, 1995

Rule

ANDHRA-PRADESH-MUNICIPALITIES-RESERVATION-OF-SEATS-IN-M of 1995

- Published on 1 January 1995
- Commenced on 1 January 1995
- [This is the version of this document from 1 January 1995.]
- [Note: The original publication document is not available and this content could not be verified.]

Andhra Pradesh Municipalities (Reservation of Seats in Municipal Councils and Nagar Panchayats) Rules, 1995Last Updated 13th September, 2019

1.

(i)These Rules may be called the Andhra Pradesh Municipalities (Reservation of Seats in Municipal Councils and Nagar Panchayats) Rules, 1995.(ii)These Rules shall apply to all Municipal Councils and Nagar Panchayats in the State and any reference to a Municipality/Municipal Council wherever they occur in these rules shall apply to Nagar Panchayats also.

2.

(i)"Act" means the Andhra Pradesh Municipalities Act, 1965;(ii)"Authority specified" means any Officer or Officers of the Government specified by the Government delegating their powers for the purpose of fixation of number of reserved seats in municipal councils and for allocation of reserved seats among wards in Municipal Councils.

3.

After issue of notification by Government under clause (1) of sub-section (2) of Section 5 of the Act or in respect of Municipalities where the number of members to be elected in each Municipal Council existing at the commencement of Andhra Pradesh Municipal Laws (Second Amendment) Act, 1994 is continued under proviso thereof, the Government or Authority Specified shall declare by Notification in the A.P. Gazette the number of seats reserved in each Municipal Council for Scheduled Tribes, Scheduled Castes, Backward Classes and Women under Section 8 of the Act.

4.

While determining the number of seats in a Municipality to be reserved in favour of Scheduled Tribes, Scheduled Castes or Backward Classes as the case may be, in accordance with the provisions of Act any fraction of less than one-half shall be ignored and any fraction equal to or more than one-half shall be counted as one: Provided that where there is a difficulty in reserving seats for one or more categories in a Municipal Council due to equality in fraction or any other reason, the Government or Authority Specified shall determine the category to which the seat shall be reserved; Provided further that where the proportion of the population of the Scheduled Tribes or Scheduled Castes in a municipality, as the case may be to the total population of the Municipality does not constitute a required proportion enabling them for Reservation of atleast one seat, there shall be reserved one seat for these categories without reference to the said proportion.

5. [Substituted by Notification No. G.O.Ms. No. 446, MA&UD, (Elec.II), dated 24.9.2011.]

The number of Offices of Chairpersons to be reserved for women (including the number of Offices of Chairpersons reserved for women belonging to Scheduled Tribes, Scheduled Castes and Backward Classes) shall be 50% of total number of Offices of Chairpersons of Municipalities in the State. Provided that where there is a difficulty in reserving 50% of Offices of Chairpersons to women due to "odd number of Offices of Chairpersons" of Municipalities in the State, the fraction shall be ignored.]

6.

The reservation of seats for various categories shall be made in the order of Scheduled Tribes, Scheduled Castes or Backward Classes and Women.

7.

The seats reserved for Scheduled Tribes, Scheduled Castes or Backward Classes and Women shall be allotted by rotation to different wards in a Municipality. The reservation of seats shall be started afresh without any reference to the reservation of the seats made prior to issue of the Andhra Pradesh Municipalities (Reservation of seats in Municipal Council and Nagar Panchayats) Rules,

1995. The Municipal Commissioner shall maintain a Register for this purpose in the form annexed to these Rules.

8.

The reservation of seats for members belonging to Scheduled Tribes, Scheduled Castes and Women in the Wards of the Municipalities shall be made with reference to the largest percentage of population of the said category to the total population of the ward in the descending order.

9.

After arriving at the wards proposed to be reserved for scheduled Tribes, Scheduled Castes to different wards in a Municipality the seats to be reserved for Backward Classes in the remaining wards in the Municipality shall be on rotation basis with reference to the largest percentage of voters of the said category to the total number of voters of the ward in the Municipality concerned in descending order.

10.

Not less than one-third of the total number of seats reserved for Scheduled Tribes, Scheduled Castes and Backward Classes under Section 8 of the Act shall be reserved for women belonging to each of these categories: Provided that where only one seat is reserved for Scheduled Tribes, Scheduled Castes in a municipality as the case may be, then no seat be reserved for women belonging to Scheduled Tribes or Scheduled Castes and where only two seats are reserved for Scheduled Tribes or Scheduled Castes as the case may be, one of the two seats shall be reserved for women belonging to Scheduled Tribes, Scheduled Castes; as the case may be; Provided further, where more than two seats are reserved for Scheduled Tribes, Scheduled Castes and Backward Classes as the case may be, not less than one third of such seats shall be reserved for women of that category and any fraction shall be taken into consideration so as to ensure that not less than one- third of the total number of seats reserved for the above categories are reserved for women; Provided also that the sub-reservation of seats for Women belonging to Scheduled Tribes, Scheduled Castes and Backward Classes as the case may be, shall be made from among the wards reserved for these categories in which the percentage of population of women is the largest in descending order.

11.

Reservation of remaining seats reserved for Women shall be made from among the wards in which the percentage of population of women is the largest in descending order.

12.

(1) Before issue of final Notification by the Government or Specified Authority setting apart reserved seats among wards in Municipalities, a draft Notification shall be sent to the Municipal Council

calling for its views by giving reasonable time.(2)The Government or the Authority Specified, after considering the views of the Municipal Council, shall issue final Notification setting apart reserved seats among various wards in the Municipalities and publish it in the A.P. Gazette and concerned District Gazette also.