

# **Andhra Pradesh Municipalities (Conduct of Election of Vice-Chairperson) Rules, 1986**

ANDHRA PRADESH

India

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### **Rule**

### **ANDHRA-PRADESH-MUNICIPALITIES-CONDUCT-OF-ELECTION-OF-V of 1986**

- Published on 1 January 1986
- Commenced on 1 January 1986
- [This is the version of this document from 1 January 1986.]
- [Note: The original publication document is not available and this content could not be verified.]

Andhra Pradesh Municipalities (Conduct of Election of Vice-Chairperson) Rules, 1986In exercise of the powers conferred by sub-section (1) of Section 25 read with Section 326 of the Andhra Pradesh Municipalities Act, 1965 (Act No.6 of 1965) and in supersession of all previous rules on the subject, the Governor of Andhra Pradesh hereby makes the following rules for the conduct of election of Vicechairperson of Municipal Councils/Nagar Panchayats in the State namely

#### **1.**

(1)These rules may be called the Andhra Pradesh Municipalities (Conduct of Election of Vice-chairperson) Rules, 1986.(2)They shall come into force from the date of publication in the Andhra Pradesh Gazette.

#### **2.**

The Commissioner of the Municipality/Nagar Panchayat shall, immediately after the declaration of results of ordinary election or the occurrence of vacancy in the Office of the Vice- chairperson, intimate the fact to the Election Authority and on receipt of such intimation, the Election Authority shall transmit the same to the Chairperson with a request to conduct the election of Vice-chairperson to the Council.Explanation. - "Election Authority" means the Commissioner and Director of Municipal Administration in respect of conduct of ordinary and casual elections to the office of the Vice- chairperson of all the municipalities.

### 3.

The Chairperson elected shall convene a special meeting of the council in the municipal office for the election of the Vice- chairperson within fifteen days from the date of first meeting of the council to be appointed by the Election Authority or within fifteen days from the date of election of Chairperson or occurrence of the vacancy in the office of the Vice-chairperson. If at such meeting, a Vice-chairperson is not elected, another special meeting shall be convened for the purpose by the Chairperson within fifteen days from the date of such meeting. A notice of three clear days shall be given to the Members including ex-officio Members for convening either of the meeting indicating therein the date and time of the meeting; Provided that where either there is a vacancy in the office of Chairperson or the Chairperson elected has not entered office, it shall be competent for the Special Officer, to issue notices under this rule; Provided that where the election of Vice-Chairperson could not be conducted in the first two meetings for want of quorum, the Vice-chairperson shall be elected in the third meeting from among the members present without insisting for quorum.

### 4.

Such meetings shall be presided over by the Chairperson or in his absence by a Member not intending to stand as a candidate for the election of Vice-chairperson at the election and chosen by the members present at that meeting to preside for the occasion.

### 5.

(1) No business shall be transacted at the meeting referred to in Rules 3 and 4 unless there be present atleast one-half of the sanctioned strength of the Members of the Council. (2) If within half an-hour after the time appointed for a meeting a quorum is not present, the meeting shall stand adjourned, unless all the Members present agree to wait longer.

### 6.

(2) Before the names are read out by the President of the meeting, a candidate may withdraw from the contest.

### 7.

(1) If there is only one validly nominated candidate, he shall be declared to have been elected. (2) If there are two or more candidates, an election shall be held by secret ballot. (3) Where the election has to be conducted under sub-rule (2), a symbol shall be assigned to each candidate by the president of the meeting in consultation with the candidates. Serial numbers shall also be assigned to the candidates with reference to the alphabetical order of their surnames in Telugu. Where there is no surname, the proper name shall be taken into consideration and when initials only precede the proper name, the initials have to be ignored. The President of the meeting shall then announce to the Members the symbol and serial numbers assigned to each candidate.

## 8.

(1)At the place set apart for voting, the President of the meeting shall provide a ballot box. The ballot box shall be so constructed that the ballot papers can be inserted therein but cannot be withdrawn therefrom without the box being unlocked.(2)The President of the meeting shall, immediately before the votes are taken, show the ballot box empty to such Members as may be present so that they may see that it is empty and shall then lock it up and place his seal upon it in such manner as to prevent its being opened without breaking such seal. The ballot box shall then be kept in full view of the members present at the meeting.(3)Every Member wishing to vote shall be supplied with a ballot paper in the Form appended to these rules, on which the President of the meeting shall have, before its supply, affixed a stamp and signed on the reserve portion thereon so as to indicate its authenticity.(4)No Member shall be allowed to enter the compartment when another Member is inside the compartment.(5)If owing to blindness or other physical infirmity a Member is unable to recognise the symbols on the ballot paper or to make a mark thereon, the President of the meeting shall record vote on the ballot paper in accordance with the wishes of the Member, fold it so as to conceal the vote and insert it into the ballot box.(6)While acting under the sub-rule (5), the President of the meeting shall observe as much secrecy as is feasible and shall keep a brief record of each such instance but shall not indicate therein the manner in which may vote has been given.(7)After all the Members present at the meeting have voted, the president of the meeting shall close the poll and take up counting of votes.

## 9.

Immediately after the declaration of the results the President of the meeting shall prepare a record of the proceedings at the meeting and sign it attesting with his initial every correction made therein and also permit any member present at the meeting to affix his signature to such record, if that member expresses his desire to do so.

## 10.

(1)The President of the meeting shall then make up into separate packets the ballot papers relating to each candidate, whether counted or rejected, seal up each packet and note thereon a description of its contents the election to which it relates and the date thereof.(2)These packets shall not be opened and their contents shall not be inspected or produced except under the orders of an Election Tribunal or other competent court.(3)The packets shall be retained in the safe custody in the Municipal office by the Commissioner for a year and shall then, unless otherwise directed by the orders of a competent court, be destroyed.

## 11.

After the declaration of the results, the President of the meeting shall sign the notification in the Form prescribed below indicating the name of the person elected as Vice-Chairperson. The Commissioner shall thereafter send an attested copy of the Form to the Director of Printing and

Stationery for publication in the Andhra Pradesh Gazette under intimation to the District Collector, Director of Municipal Administration/Regional Director of Municipal Administration and the Government and he shall also place a copy of it on the Notice Board of the Municipal Office. Annexure 1 Ballot paper [See Rule 8(3)]

Sl.No. Name of the candidate Symbol assigned

(1)	(2)	(3)
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1.

2.

3.