

# **Rajasthan Municipalities (Motion of No-confidence Against Chairperson or Vice-Chairperson) Rules, 2007**

RAJASTHAN

India

## **Rajasthan Municipalities (Motion of No-confidence Against Chairperson or Vice-Chairperson) Rules, 2007**

### **Rule**

### **RAJASTHAN-MUNICIPALITIES-MOTION-OF-NO-CONFIDENCE-AGAINST-CHAIRPERSON-OR-VICE-CHAIRPERSON-RULES-2007**

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Rajasthan Municipalities (Motion of No-confidence Against Chairperson or Vice-Chairperson) Rules, 2007Published vide Notification No. F. 8 (G)(327) Rules/LSG/95/671, dated 12.2.2007Last Updated 21st May, 2019Notification No. F. 8 (G)(327) Rules/LSG/95/671. - In exercise of the powers conferred under Section 297 of the Rajasthan Municipalities Act, 1959 (Act of 1959) read with Section 72 thereof, the State Government hereby makes the following rules, namely:-

#### **1. Short title and commencement.**

(1)These rules may be called the Rajasthan Municipalities (Motion of No-confidence Against Chairperson or Vice-Chairperson) Rules, 2007.(2)They shall come into force with immediate effect.

#### **2. Definitions.**

(1)In these rules, unless the context otherwise requires:-(i)"Act" means the Rajasthan Municipalities Act, 1959;(ii)"Vice Chairperson" means the Vice-Chairman of the Board or Vice-President of a Municipal Council or Deputy Mayor of a Corporation; and(iii)"Eligible Member" means Members of a Board or a Council or a Corporation, but shall not include nominated members and any member disqualified or suspended under the provisions of the Act.(2)Words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

### **3. Procedure etc.**

(1) A written notice of intention to make motion of no confidence in the Chairperson or Vice-Chairperson signed by one-third members of the Board or Council or Corporation, as the case may be together with a copy of the motion which is proposed to be made, shall be sent to the Collector of the District, who shall thereupon convene a meeting for the consideration of the motion to be held at the office of the Board or Council or Corporation, as the case may be, on the date and at the time appointed by him, which shall not be earlier than twenty or later than thirty days from the date of the receipt of the notice. (2) The Collector shall send by registered post not less than seven clear days before the date of the meeting a notice of such meeting and of the date and time fixed therefore to every member of the Board or Council or Corporation. (3) The Collector or his nominee shall preside at such meeting and if within half an hour from the time appointed for the meeting Collector or his nominee is not present or is unable for any unavoidable cause to preside at the meeting, the meeting shall stand adjourned to the date and the time to be fixed and notified to the members. (4) A meeting convened for the purpose of consideration of the motion of no-confidence under these rules shall not for any reason except stated at sub-rule (3) be adjourned. (5) Three-fourth of the number of eligible members shall be required for the quorum. (6) No meeting for the consideration of the motion of no-confidence shall be held in absence of quorum. (7) The motion of no-confidence against the Chairperson or Vice-Chairperson, as the case may be, shall be deemed to have been lost if required members for the quorum are not present within an hour from the time appointed for the meeting. (8) As soon as the quorum is complete, the Collector or his nominee shall read the motion for the consideration for which the meeting has been convened and declare it to be open for discussion. (9) Such discussion shall not be adjourned and shall automatically terminate on the expiry of four hours from the time fixed for the commencement of the meeting unless it is concluded earlier. (10) On the conclusion of the debate or upon the expiry of the said period of four hours, as the case may be, the motion shall be put to the vote of the Board or Council or Corporation. The Collector or his nominate shall neither speak on the merits thereof nor comment thereon. The voting shall be carried out by way of Secret ballot. (11) If the motion is not carried by a 3/4 number of eligible members, the motion of no-confidence against Chairperson or Vice-Chairperson, as the case may be, shall be deemed to have been lost. (12) If the motion is carried by a majority of 3/4 number of eligible members, the motion shall be deemed to have been passed against the Chairperson or Vice-Chairperson, as the case may be and such Chairperson or Vice-Chairperson shall forthwith be deemed to have vacated his office.

### **4. Repeal and Savings.**

- The Rajasthan Municipalities (Motion of No-confidence Against Chairman and Vice-Chairman) Rules, 1974 is hereby repealed: Provided that any action taken or any thing done or order passed under the rules so repealed, shall be deemed to be taken or done or passed under these rules.