

ANDHRA PRADESH MUNICIPAL CORPORATIONS (RESERVATION OF SEATS) RULES, 1995

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ANDHRA PRADESH MUNICIPAL CORPORATIONS (RESERVATION OF SEATS) RULES, 1995

In exercise of the powers conferred by Section 585 read with Sub-section(2) of Section 5 of the Hyderabad Municipal Corporations Act, 1955 (Act No. 11 of 1956) and Section 6 of the Andhra Pradesh Municipal Corporation Act, 1994 (Act No. 25/94) and in supersession of rules issued in G.O.Ms.No. 173, Elections, M.A., dated the 10th February 1987, the Governor of Andhra Pradesh hereby makes the following rules relating to the reservation of Seats in Municipal Corporations of the State.

1. Short title and extent :-

- (1) These rules may be called the Andhra Pradesh Municipal Corporation (Reservation of Seats) Rules, 1995.
- (b) They shall extend to all Municipal Corporations in the State.

2. Definitions :-

In these rules unless the context otherwise requires:

- (a) 'Act' means the Hyderabad Municipal Corporations Act, 1955 (Act No. II of 1956) or the Andhra Pradesh Municipal Corporations

Act, 1994 (Act No. 25/94) as the case may be.

(b) Government' means the State Government of Andhra Pradesh.

(c) Election Authority' means officer or authority defined in Clause 15 (A) of Section 2 of the Hyderabad Municipal Corporations Act, 1955 or Clause (b) of Section 2 of the Andhra Pradesh Municipal Corporations Act, 1994, as the case may be.

3. Notification of Number of Seats Reserved :-

The Government shall, by notification in the Andhra Pradesh Gazette, specify the number of seats reserved for Scheduled Tribes, Scheduled Castes, Backward Classes and Women in each of the Municipal Corporations and determine the specific wards in which reserved seats shall be set apart.

4. Seats to be Reserved for Scheduled Tribes, Scheduled Castes and Backward Classes :-

While determining the number of seats in a Municipal Corporation to be reserved in favour of Scheduled Tribes, Scheduled Castes or Backward Classes as the case may be in accordance with the relevant provisions of the Act, any fraction of less than one - half shall be reserved, and atleast fraction equal to or more than one-half shall be counted as one.

Provided that where the proportion of the population of the Scheduled Tribes or Scheduled Castes in a Municipal Corporation as the case may be to the total population of the Municipal Corporation 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 proportion.

5. Seats to be Reserved for Women :-

The number of seats to be reserved for Women (including the number of seats reserved for Women belonging to Scheduled Tribes, Scheduled Castes and Backward Classes) shall be not less than one-third of total number of seats in the Municipal Corporation and any fraction thereof shall be rounded off to one.

6. Seats to be Reserved for Women Belonging to Scheduled Tribes, Scheduled Castes and Women :-

Not less than one-third of the total number of seats reserved for scheduled Tribes, Scheduled Castes and Backward Classes shall be reserved for Women belonging to these categories:

Provided that where only one seat is reserved for Scheduled Tribes or Scheduled Castes in a Municipal Corporation 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 or Scheduled Castes as the case may be.

Provided further that where more than two seats are reserved for Scheduled Tribes, Scheduled Castes or 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 further that the reservation of seats for Women belonging to Scheduled Tribes, Scheduled Castes or 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.

7. Order of Reservation :-

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

8. Rotation of seats :-

The Seats reserved for Scheduled Tribes, Scheduled Castes, Backward Classes and Women shall be allotted by rotation to different Wards in a Municipal Corporation. The Municipal Commissioner shall maintain a Register for this purpose in Form-1.

9. Manner of Reservation :-

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

10. Drawal of Lots for Reservation of Seats to Backward Classes :-

After arriving at the wards proposed to be reserved for Scheduled Tribes, Scheduled Castes, the Election Authority shall draw lots in the remaining wards to determine the seats to be reserved for

Backward Classes.

Provided that before taking lots, intimation of date, and place at which the lots are to be drawn shall be given by the Election Authority to the representatives of all recognised political parties at District level, M.L.As., and M.Ps., concerned and the lots shall be drawn by the Election Authority in the presence of the said persons who may be present.

11. Reservation of Seats to Women :-

Reservation of seats for Women other than those provided for Scheduled Tribes, Scheduled Castes, Back Ward Classes shall be made from among the wards in which the percentage of population of Women is the largest in descending order.