

HYDERABAD MUNICIPAL CORPORATIONS (CO-OPTION OF MEMBERS BELONGING TO MINORITIES) RULES, 1995

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HYDERABAD MUNICIPAL CORPORATIONS (CO-OPTION OF MEMBERS BELONGING TO MINORITIES) RULES, 1995

In exercise of the Powers conferred by Sub-section (1) of Section 585 read with Sub-section (10) of Section 5 of the Hyderabad Municipal Corporation Act, 1955 (Act II of 1956) the Governor of Andhra Pradesh hereby makes the following rules.

1. Short Title :-

Commencement and Extent - These Rules may be called the Hyderabad Municipal Corporations (Co-option of members belonging to Minorities) Rules, 1995.

(2) They shall come into force at once.

(3) These Rules shall apply to Hyderabad, Visakhapatnam and Vijayawada Municipal Corporations.

2. Definitions :-

(1) In these rules, unless the context otherwise requires-

(i) "Act" means the Hyderabad Municipal Corporations Act, 1955.

(ii) "Government" means the Government of Andhra Pradesh.

(iii) "Commissioner" means Commissioner of the Municipal Corporation appointed by Government under Section 104 of the

Hyderabad Municipal Corporations Act, 1955.

(iv) "Secretary" means Secretary of the Municipal Corporation appointed under Section 133 read with Section 136 of the Hyderabad Municipal Corporations Act, 1955;

(v) "Minorities" means the communities specified below which were notified as such by Ministry of Welfare, Government of India No S.O.816 that may be notified by the Government of India from time.

(a) Muslims

(b) Christians

(c) Sikhs

(d) Buddhists

(e) Zorostrians (Parsis)

(2) The words and expressions used but not desired in these rules shall have the meanings respectfully assigned to them in the Act.

3. Qualification :-

(a) The Person to be co-opted shall be;

(b) a registered voter in the Corporation; and

(c) shall not be less than 21 years of age.

4. Disqualifications :-

The Provisions contained in Sections 22 and 23 of the Hyderabad Municipal Corporations Act 1955 with regard to disqualification of members shall Mutatis Mutandis apply to the co-opted members.

5. Procedure for Co-option of Members :-

(1) The Mayor shall convene a special meeting of the Corporation for co-option members belonging to minorities [within sixty days from the date of first meeting of the Corporation.]

(2) A notice of seven clear days shall be given to the members including ex-officio members for convening the meeting.

(3) No business shall be transacted at the meeting unless there be present atleast one half of the sanctioned strength of the corporation including ex-officio members.

Provided that were minority members could not be co-opted in the first two meetings for want of quorum the minority members shall be co-opted in the third meeting even without the quorum.

(4) If within half-an-hour after the time appointed for the special meeting the quorum is not present the meeting shall stand adjourned unless all the members Present agree to wait longer.

6. . :-

(1) The Mayor shall call for Proposals for co-option of members belonging to minorities.

(2) Any member including an ex-officio member can Propose the name of a member belonging to minorities and another member has to second such Proposal.

(3) If two Persons are Proposed to be co-opted they shall be declared to have been co-opted.

(4) If three or more Persons are Proposed to be co-opted two Persons shall be co-opted by voice vote.

7. . :-

While co-opting the members Preference may be given to the members belonging to such of the communities which are not represented on the Council through direct election.

8. . :-

The Provisions contained in Sub-section (2) of Section 92 of the Hyderabad Municipal Corporations Act, 1955 with regard to resignation of members shall Mutatis Mutandis apply to the co-opted members.

9. . :-

A casual vacancy in the office of co-opted member shall be filled in by following the procedure prescribed in the these rules within three months from the date of occurrence of the vacancy;

Provided that the casual vacancy occurred within three months before the date on which the terms of office of the member expires by efflux of time shall be filled in:

Provided further that a member co-opted by the Council to a casual vacancy shall hold office as long only as the member in whose place he is co-opted would have been entitled to hold office if the vacancy had not occurred.

10. . :-

The Mayor shall issue a notification prescribed in indicating the names of the persons co-opted by the corporation and the Commissioner shall thereafter send an attested copy of the notification to the Government for Publication in the Andhra Pradesh Gazette and he will also place a copy of it on the Notice Board of the Corporation.