

## **Hyderabad Municipal Corporations (Co-option of members having special knowledge or experience in Municipal Administration) Rules, 1995**

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## **Hyderabad Municipal Corporations (Co-option of members having special knowledge or experience in Municipal Administration) Rules, 1995**

In exercise of the powers conferred by Section 585 read with Section 5 of the Hyderabad Municipal Corporation Act, 1955 (Act No.II of 1956) the Governor of Andhra Pradesh hereby makes the following rules:

### **1. Short title :-**

These rules may be called the Hyderabad Municipal Corporations (Co-option of members having special knowledge or experience in Municipal Administration) Rules, 1995.

### **2. Definitions :-**

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

(i) "Act" means the HMC Act, 1955 (Act II of 1956).

(ii) "Commissioner" means the Commissioner appointed under Section 104 of the Hyderabad Municipal Corporation Act, 1955.

(iii) "Corporation" means Municipal Corporation of Hyderabad.

(iv) "Government" means Government of Andhra Pradesh.

(v) "Secretary" means the Secretary appointed under Section 133

of the Hyderabad Municipal Corporation Act, 1955.

(2) Words and expressions used in these rules but not expressly defined herein shall have the meanings assigned to them in the Act.

### **3. Persons eligible for Co-option :-**

Qualification

(a) No person shall be eligible to be co-opted as member of the Corporation unless he is a registered voter in the Electoral Roll of the Corporation; and

(b) A person who has held office of a Chairperson-/Mayor, Vice-Chairman/Deputy Mayor or member of a Municipality/Municipal Corporation or a combination of these offices for a total period of not less than [five (5)] years; (or)

(c) Persons who have retired from service after holding Gazetted post under the State Government or Central Government and having special knowledge and experience in Municipal administration.

### **4. Dis-qualification Procedure for Co-option of Members :-**

The provisions relating to disqualification of an elected member shall apply to co-opted members.

### **5. . :-**

(1) The Secretary of the Corporation in consultation with the Commissioner, shall, [within sixty (60) days from the date of first meeting of the Corporation] call for applications from the eligible candidates by giving wide publicity in Newspapers giving seven (7) days time for submission of applications.

(2) The applications received shall be scrutinised by the Secretary within three

(3) days from the last date of receipt of applications.

(3) The list of eligible applicants shall be placed before the Corporation at its special meeting to be convened by the Mayor within a fortnight from the last date fixed for receipt of applications by giving not less than seven (7) clear days notice to the elected members including Ex-Officio members.

Provided that 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 further that where the members could not be co-opted in the first two meetings for want of quorum, the members shall be co-opted in the third meeting even without 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) In case there are more number of eligible applicants than the number of persons to be co-opted, the Corporation shall co-opt the required number of persons by a voice vote.

(2) If the number of applications received from eligible candidates is less than the number of persons to be co-opted or if no applications are received from the eligible candidates applications shall be invited again by giving wide Publicity. The applications already received shall be considered along with fresh applications received and the procedure provided in Rule 5 shall be followed.

**7. . :-**

The provisions relating to the resignation of the elected members of the Corporation shall apply to the co-opted members.

**8. . :-**

A casual-vacancy in the office of co-opted members shall be filled in by following the Procedure prescribed in these rules within three (3) months from the date of occurrence of the vacancy.

Provided that no casual vacancy occurred within three months before the date on which the term of office of the members expires shall be filled in.

Provided further that a member co-opted by the Corporation to a casual vacancy shall hold office to the residuary period of the tenure.

**9. . :-**

The Commissioner shall issue proceedings in the form appended to these rules indicating the names of persons co-opted by the Corporation and the Commissioner shall thereafter send an attested copy of the proceedings to the Government and he will also place a

copy of it on the Notice Board of the Corporation.