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ELECTIONS-URGENT

**GOVERNMENT OF TELANGANA
MUNICIPAL ADMINISTRATION DEPARTMENT**

O/o the Election Authority and
Commissioner & Director of
Municipal Administration,
TELANGANA, Hyderabad.

Roc.No. 435 /2014/Elec-I

Dated:07.07.2014

C I R C U L A R

Sub: Conduct of elections to ULBs 2014-Co-Option of members belonging to minorities by the Municipal Council-Certain instructions issued-Reg.

Ref: G.O.Ms.No.229 MA Dt.16.05.1995

The attention of the Municipal Commissioners of (53) Municipalities/Nagarpanchayats is invited to the references cited (copy of the above G.O is enclosed herewith for ready reference).

2. According to clause (vi) of sub section 2 of Section 5 of AP Municipalities Act, 1965 two persons belonging to the minorities of whom one shall be woman be co-opted as members of the Nagar Panchayat or Municipality prescribed manner from among the persons who are registered voters in the Nagar Panchayat or Municipality as the case may be and who are not less than twenty one year of age.

3. In the reference cited, Government have issued AP Municipal Councils/ Nagarpanchayats (Co-Option of members belonging to minorities) Rules, 1995. According to Rule 5 of the above Rules the Chairperson shall convene a special meeting of the Council within sixty (60) days from the date of first meeting of the Council. A notice of seven clear days shall be given to the members including ex-officio members for convening the meeting. The details of other rules may carefully be read from the G.O. cited.

4. Therefore, all the Chairperson of (53) Municipalities and Nagarpanchayats are requested to take immediate action for Co-Option of members belonging to minorities duly following the procedure prescribed in the G.O cited. The Municipal Commissioners of (53) Municipalities/Nagarpanchayats are directed to apprise the Chairpersons about the need to conduct the Special meeting within (60) days from the date of first meeting and render all necessary arrangements for co-option of members belonging to minorities by the Municipal Council duly following the rules issued in the reference cited.

5. The Regional Director cum Appellate Commissioners of Municipal Administration of Hyderabad and Warangal are requested to brief the rules to the Municipal Commissioners in their jurisdiction during the conduct of review meeting with them.

Sd/- B.Janardhan Reddy
Commissioner & Director

To

All the Chairpersons of (53) Municipalities / Nagarpanchayats

All the Municipal Commissioner of (52) Municipalities/Nagarpanchayats

The RDMA's of Hyderabad and Warangal with a request to closely mention the issues with the MCs.

Copy to all the Collectors and District Election Authorities in the State except Hyderabad.


for Commissioner & Director 07/7/14


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fraction below 0.5 shall be ignored and any fraction of 0.5 or above shall be taken as one.”.

(4) in Section 93, for sub-sections (2) and (3) the following sub-section shall be substituted, namely:—

“(2) The Mayor or in his absence, the Deputy Mayor of the Corporation shall be the Ex-officio Chairperson of the Standing Committee:

Provided that the Chairperson of the Standing Committee holding office at the commencement of this Act, shall hold office until the expiry of his term of office.”.

3. Act No.6 of 1965 :—In the A.P. Municipalities Act, 1965,—

(1) for clauses (v) and (vi) of sub-section (2) of Section 5, the following shall be substituted, namely:—

“(v) One person having special knowledge or experience in Municipal Administration be co-opted as member of the Nagar Panchayat or Municipality in the prescribed manner by the Council from among the persons who are registered voters in the Nagar Panchayat or Municipality as the case may be and who is not less than twenty-one years of age:

Provided that the member co-opted under this clause shall have the right to speak in and otherwise to take part in the meetings of Nagar Panchayats or the Municipality, as the case may be, but shall not have the right to vote.

(vi) Two persons belonging to the minorities of whom one shall be woman be co-opted as members of the Nagar Panchayat or Municipality in the prescribed manner by the members specified in clauses (i) to (iv) from among the persons who are registered voters in the Nagar Panchayat or Municipality as the case may be and who are not less than twenty-one years of age:

Provided that the members co-opted under this clause shall have right to speak in and otherwise to take part in the meetings of the Nagar Panchayat or the Municipality, as the case may be without the right to vote.”.

(2) for Sections 23 and 25, the following section shall be substituted, namely:—

**ANDHRA PRADESH MUNICIPAL COUNCIL
NAGAR PANCHAYATS (CO-OPTION
OF MEMBERS BELONGING TO MINORITIES)
RULES, 1995**

[G.O. Ms. No.229, M.A. & U.D., Dt.16-5-1995]

In exercise of the powers conferred by sub-section (1) of Section 326 read with Clause (vi) of sub-section (2) of Section 5 of the Andhra Pradesh Municipalities Act, 1965 (Act 6 of 1965), the Governor of Andhra Pradesh hereby makes the following rules—

1. **Short Title** :—(1) These Rules may be called the Andhra Pradesh Municipal Councils/Nagar Panchayats (Co-option of Members belonging to Minorities) Rules, 1995.

(2) These rules shall apply to all Municipal Councils and Nagar Panchayats in the State and any reference to a Municipal Council wherever it occurs in these rules shall apply to Nagarpanchayats also.

(3) These Rules shall come into force at once.

2. **Definitions** :—(1) In these rules, unless the context otherwise requires—

- (i) “Act” means the Andhra Pradesh Municipalities Act, 1965;
- (ii) “Government” means the Government of Andhra Pradesh;
- (iii) “Minorities” means the communities as specified below which were notified as such by the Ministry of Welfare, Government of India in No.S.O. 816(3), Dated 23-10-1993; and such other communities that may be notified by the Government of India from time to time.
 - (a) Muslims
 - (b) Christians
 - (c) Sikhs
 - (d) Buddhists
 - (e) Zeorastrians (Parsis)

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

3. Qualification :—(1) The person to be co-opted shall be,—

- (a) A Registered voter in the Municipality; and
- (b) shall be not less than 21 years of age.

4. Disqualifications :—The provisions contained in Sections 14 and 16 of the act with regard to disqualification of members shall mutatis mutandis apply to the co-opted members.

5. Procedure for co-option of Members :—(1) The Chairperson shall convene a special meeting of the Council [within [sixty (60) days] from the date of first meeting of the Council to be appointed by the Election Authority.]

(2) A notice of seven (7) 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 Council including ex-officio members:

Provided that where a minority member could not be co-opted in the first two meetings for want of quorum, the minority member 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 Chairperson shall call for proposals for co-option of member 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 one person is proposed to be co-opted, he shall be declared to have been co-opted.

(4) If two or more persons are proposed to be co-opted, one person shall co-opted by voice vote.

1. Subs. by G.O. Ms. No.174, dated 21-3-2000.

2. Subs. by G.O. Ms. No.295, dated 15-5-2000.

7. While co-opting a member, preference may be given to the member belonging to such of the communities which are not represented on the council through direct election.

8. The provision contained in Section 55 of the Act with regard to resignation of members shall mutatis mutandis apply to the co-opted member.

9. A casual vacancy in the office of co-opted member shall be filled in by following the procedure prescribed in these rules as soon as may be after occurrence of the vacancy:

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

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

10. The Chairperson of the meeting shall issue a notification prescribed in Form-I in the District Gazette indicating the name of person co-opted by the Council and the Commissioner shall thereafter send an attested copy of the notification to the District Collector, Commissioner and Director of Municipal Administration, Regional Director-cum-Appellate Commissioner and Government and he will also place a copy of it on the Notice Board of the Municipal Office.

ANDHRA PRADESH MUNICIPALITIES AND NAGAR PANCHAYATS (PREPARATION AND PUBLICATION OF ELECTORAL ROLLS) RULES, 2001¹

*[G.O. Ms. No.516, Municipal Administration and Urban Development (Elec.I) M.A.,
dated 15th October, 2001]*

In exercise of the powers conferred by sub-section (1) of Section 326 read with Section 11 of the Andhra Pradesh Municipalities Act, 1965 read with Andhra Pradesh Municipal Laws (Fourth Amendment) Act, 2001 (Act No.34 of 2001) and in supersession of the Andhra Pradesh Municipalities and Nagar Panchayats (Registration of Electors) Rules, 1994 issued in G.O. Ms. No.625, M.A., dated

1. Published in A.P. Gazette, RS to Part I (Ext.), dated 16-10-2001.