

(Extract from the Chd. Admn. Gaz. (Extra.), dated the 16th Dec., 1996)

MUNICIPAL CORPORATION, CHANDIGARH

Notification

The 16th December, 1996

No. MCC/96/8027.-The following regulations framed by the Municipal Corporation, Chandigarh, in exercise of the powers conferred by section 65 of the Punjab Municipal Corporation Act, 1976 as extended to the Union Territory, Chandigarh by the Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994 (Act. No. 45 of 1994) having been approved by the Administrator, Union Territory, Chandigarh,-vide communication bearing No. UTFI(2)-LG-96/14707, dated the 16th December, 1996, as required by sub-section (2) of Section 398 of the said Act, are hereby published for general information and shall come into force within the limits of the Chandigarh Municipal Corporation at once:-

PART-1

1. Short title and commencement. These regulations may be called the Chandigarh Municipal Corporation (Procedure and Conduct of Business) Regulations, 1996.
2. They shall come into force at once.
3. Definitions—In these regulations, unless the context otherwise requires:-
 - (a) 'Act' means the Punjab Municipal Corporation Act, 1976 as extended to the Union Territory, Chandigarh by the Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994 (Act. No. 45 of 1994);
 - (b) 'Form' means a form appended to these regulations;
 - (c) 'Prescribed authority' means such authority or officer as the Administrator, Union Territory, Chandigarh may from time to time, by order to be published in the Chandigarh Administration Gazette, prescribe.
 - (d) 'Section' means a Section of the Act.

PART-II

PROCEDURE AND CONDUCT OF BUSINESS OF THE CORPORATION

3. DATE, TIME AND PLACE OF MEETING OF CORPORATION:

- (1) The date time and place of meeting for the election of Mayor, Senior Deputy Mayor and Deputy Mayor, after a general election, shall be determined by the prescribed authority.
 - (2) The date, time and place of any other meeting of the Corporation shall be fixed by the Mayor by a general or special order passed in that behalf.
4. Roll of Members:- (1) There shall be a roll of members of the Corporation.
- (3) Every Councillor immediately after he has made and subscribed at a meeting of the Corporation on oath or affirmation under sub-section (1) of Section 35 shall before taking his seat, sign the said roll.
5. Seating Arrangement:- The Councillors shall sit in such order as the Mayor may determine.
6. Election of Mayor:- (1) Notwithstanding anything contained in Section 59 a meeting for the election of a Mayor shall be convened by the prescribed authority who shall also nominate a Councillor who is not a candidate for such election to preside over the meeting.
- (2) Every Candidate for election as Mayor shall be nominated by a nomination paper in Form I which shall be signed by the candidate and two other members of the Corporation as proposer and seconder and delivered to the Municipal Secretary or such other authority as may be identified for this purpose by the presiding authority, between the hours of eleven o'clock in the forenoon and five o'clock in the afternoon at least three clear days before the date of meeting at which the election of Mayor is to be held.
 - (3) No member shall sign as proposer or seconder the nomination paper of more than one candidate. Where a member has signed as proposer or seconder nomination papers for more than one, the nomination paper for the candidate which has been first received shall be deemed to be valid and the other nomination papers shall be deemed to be invalid.
 - (4) Any candidate may withdraw his candidature by giving it in writing at any time before the election is proceeded with in the meeting.
 - (5) When there is only one candidate validly nominated or when after withdrawal of candidature there is only one such candidate, the presiding authority shall declare him to be duly elected as Mayor.
 - (6) When two or more validly nominated candidates offer themselves for election at the meeting the election shall be held by secret ballot in the manner hereinafter provided.

- (7) Ballot papers containing the names of persons duly nominated shall be furnished to the members at the meeting.
- (8) The ballot box shall remain open for the casting of votes for such period as may be fixed by the presiding authority.
- (9) No member shall vote for more than one candidate. At the time of voting, each member shall place a cross (X) on the right hand side of the ballot paper opposite the name of the candidate for whom he wishes to vote, and will then fold the ballot paper and without showing the front of the paper to any person, insert the same in the ballot box in the presence of the presiding authority.
- (10) If a member votes for more candidates than one or places any mark on the paper by which he may be identified, his ballot paper shall be considered invalid and will not be counted. A vote recorded on a ballot paper used at the meeting shall be rejected if the marks indicating the vote is placed on the ballot paper in such a manner as to make it doubtful to which candidate the vote has been given.
- (11) As soon as the period fixed for casting of votes is over, the presiding authority shall open the ballot box and initial each ballot paper.
- (12) The votes for all the candidates shall then be counted by the presiding authority with the assistance of the Municipal officials or employees as may be designated by the presiding authority and the candidates shall be arranged in the order of the number of votes obtained by each of them.
- (13) If there are only two candidates, then the one who gets the larger number of votes shall be declared elected.
- (14) If there are more than two candidates, and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and votes shall be taken again for remaining candidates, the candidates obtaining the smallest number of votes at each ballot being excluded from the election, until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.
- (15) Where at any ballot any of three or more candidates obtain an equal number of votes and one of them has to be excluded from the election under Sub Regulation 13, the determination as between the candidates whose votes are equal, of the candidates who is to be excluded, shall be by draw of lots and on whom the lot falls shall be deemed to have received an additional vote.

- (16) The ballot papers shall be kept by the Municipal Secretary in his custody till the next election and may then be destroyed by him . In case the election has been challenged in any court of law, ballot papers shall be kept in custody till the finalisations of the case in the court of law.
7. Mayor to preside over the rest of Meeting:- As soon as the Mayor is elected he/she preside over the meeting for the transaction of the rest of the business thereof.
8. Election of Senior Deputy Mayor and Deputy Mayor:- The provisions of regulation 6 shall apply as far as may be to the election of Senior Deputy Mayor and Deputy Mayor, subject to the notification that any reference therein to the presiding authority shall be construed as a reference to the Mayor.
9. Preparation of List of Business by the Municipal Secretary:- Subject to the provisions of regulation 10, every list of business (including a supplementary list) to be transacted at a meeting of the Corporation shall be prepared by the Municipal Secretary in consultation with Mayor and the Commissioner.
10. Arrangement of the List of Business:- The list of business of an ordinary meeting shall be arranged by the Municipal Secretary in the following order:-
- a) Confirmation of the minutes of the last ordinary meeting or minutes of any special meeting or meetings since the last ordinary meeting.
 - b) Any election by the Corporation;
 - c) Question ;
 - d) Petitions;
 - e) Resolutions of the Finance and Contract Committee;
 - f) Letters from the Chandigarh Administration and others;
 - g) Letters from the commissioner and business from the Commissioner;
 - h) Resolutions of the Special Committee;
 - i) Notice of resolution under the provisions of Section 57.
11. Mode of sending notice of Business to the Members:- The list of business under Section 57 shall be sent at the registered address of each member of the Corporation.

Explanation:- The 'registered address' of a member means the address for the time being entered in the register of addresses of members maintained in this behalf by the Municipal Secretary.

12. Supplementary List of Business relating to certain urgent matters:-Notwithstanding anything contained in these regulations, the Municipal Secretary may prepare in consultation with Mayor and Commissioner, a supplementary list of business with respect to any urgent matter proposed by the Commissioner or the Chairman of any of the Committees constituted under the Act and circulate that list to the Members of the Corporation for consideration in the ensuing meeting whether ordinary or adjourned.
13. Questions:- (1) No question shall be asked except on the : first day of an ordinary monthly meeting of the Corporation.
 - (2) Notice of any question shall also specify the monthly meeting at which it is intended to ask such question.
 - (3) Not more than half an hour at every such meeting shall be available for the asking and answering of questions. Such questions as can not be answered within the allotted time shall be kept for the next adjourned meeting.
 - (4) No Councillor shall ask more than three questions at any meeting.
 - (5) The order in which such questions are desired to be answered shall be indicated by the members and if no such order is indicated the question shall be placed in the list in the order in which notices are received in point of time.
14. List of Questions:- (1) The Municipal Secretary shall prepare a list of all questions admitted in the order hereunder indicated and circulate the same to the members of the Corporation alongwith the list of business under Section 57;
 - (2) Questions in the name of each member in the list shall be entered in three rounds or less according to the number of questions admitted in his name. All members, who have questions in the list will have one question each entered in the first round and after completing the first question of all the members on the list there, second and third questions. If any, will in the like order be placed in the second and third round respectively.
 - (3) Priority of questions inter-se in each round shall be determined in accordance with the order indicated in sub-regulation (5) of regulation 13.
15. Mode of asking questions:- (1) When the time for asking questions arrives the Mayor shall call successively each councillor in whose name a question appears on the list of questions.
 - (2) The Councillor so called shall rise in his place and unless he states that it is not his intention to ask the question standing in his name ask the question by references to its number on list of questions.

16. Question of Absent Members:- If a councilor who has given notice of a question is not present when he is called upon by the Mayor the question may be asked by any other Councillor if so authorized in writing by such Councillor. If the question is not thus asked it shall be deemed to have been dropped.
17. Answer to questions:- (1) A written reply to every question in the list shall be supplied to the members before the reply is given at a meeting of the Corporation.

(2) All questions shall be answered orally at the meeting and as far as possible in the order in which they appear in the list.
18. Supplementary Questions:- (1) Any member may ask a supplementary question for the purpose of further elucidation of any matter of act regarding which an answer has been given.

(2) Ordinarily not more than three supplementary questions shall be allowed in respect of each question.

(3) The member tabling the main question shall be entitled to ask the first supplementary question in preference to other members.

(4) The Mayor shall disallow any supplementary question if it infrings the provisions regarding questions .
19. Discussion on a matter of Public importance:- (1) The Mayor may allot maximum of half an hour on the first day of an ordinary monthly meeting for raising discussion on a matter of sufficient public importance.

(2) A member wishing to raise such matter shall give notice in writing to the Municipal Secretary at least two clear days before the meeting and shall state briefly the points that he wishes to raise:

Provided that the notice also be accompanied by an explanatory note stating reasons discussion on the matter in question.

(3) The Mayor shall decide whether the matter is of sufficient public importance and the decision of the Mayor shall be final.

(4) The Mayor may allow such notice or notices but if any matter put down for discussion on a particular day is not disposed of on that day, it may not be set down in the following meeting.

- (5) The member who has given notice shall make a short statement and the Commissioner or any Corporation officer authorized by him in this behalf, shall reply. Any other member may with the permission of the Mayor ask question for the purpose of further elucidation of the matter in question.
- (6) If the member who has given notice is absent any other member authorized by him in writing may take initiative.
20. Postponement of questions:- If the Commissioner or any other Corporation Officer authorized in this behalf, declares that the answer to any question is not ready, the question shall stand over to any other meeting to be fixed by the Mayor on receipt of the Commissioner's answer to the question, and at such meeting the Commissioner or any Corporation Officer authorised by him in this behalf, shall give his answer.
21. Notice, condition of admissibility etc. of resolutions:- (I) A member who wishes to move a resolution shall give at least forty eight hours notice to the Municipal Secretary of his intention and shall together with the notice submit a copy of the resolution which he wishes to move.
2. The Mayor shall admit a resolution if it satisfies the following conditions, namely:-
- i) it must relate to a matter of general public interest:
 - ii) it shall be clearly and precisely expressed:
 - iii) it shall raise substantially one definite issue: and
 - iv) it shall not contain arguments, inference expressions, imputations or defamatory statements.
3. The Mayor may in consultation with the Member concerned, amend the form of a resolution so as to bring it in conformity with these regulations.
4. The Mayor may instead of disallowing a resolution on the ground that it does not relate to a matter of general public interest refer to the Committee concerned with the subject matter thereof.
22. Resolutions to be circulated:- The Municipal Secretary shall prepare a list of the resolutions admitted by the Mayor and circulate the same along with the list of business or as soon as possible thereafter.
23. Moving of resolution:- (1) A member in whose name a resolution stands in the list of business or any other member whom he may have authorized in writing to move on his behalf shall, except when he wishes to withdraw, when called upon, move the resolution and shall commence his speech by a formal motion in the terms appearing in the list of business.

2. After a resolution has been moved it shall be seconded by another member.
3. A resolution not moved or not seconded after it is moved shall be considered as dropped.
24. Amendment :- After a resolution has been moved and seconded any member may move an amendment to the resolution and such amendment too shall be seconded by another member.
25. Effect of amendment not seconded:- An amendment which has not been seconded shall fall through.
26. Discussion of resolution:- The discussion on a resolution shall be strictly relevant to and within the scope of the resolution.
27. Withdrawal of resolution: A member who has moved resolution or an amendment to a resolution shall not withdraw the same except with the leave of the chair.
28. Voting resolution:- When a resolution involving several points has been discussed, the Mayor may divide the resolution and put each or any point separately to the vote as he may deem fit.
29. Lapse of resolution: Any resolution appearing in the list of business for any month which does not come up for consideration within the next three following months shall lapse:
Provided that nothing herein contained shall prevent any member from giving a fresh notice of the same resolution to the Municipal Secretary under the provision of Section 57.
30. Application to resolution: Save as expressly provided in regulations 21 to 29, the provisions relating to motion contained in regulations 31to 57 of these regulations shall apply to resolutions.

GENERAL RULES OF PROCEDURE

31. Language to be used at meeting of the Corporation : The business at a meeting of the Corporation shall be transacted in the official language of the Chandigarh Administration.
32. Mayor's powers to expunge objectionable matters from notice of resolutions: (1) The Mayor shall be at liberty to expunge from a notice of resolution any matter which he/she may consider to be defamatory or grossly offensive, and if he/she deems proper, he may disallow the resolution altogether on those grounds. If a resolution containing such objectionable matter is actually proposed at a meeting, it shall be competent to the Mayor with the consent of the meeting obtained on the occasion to expunge such objectionable matter from the minutes of the proceedings of the meeting.

2. If the Mayor is of the opinion that words have been used by any member in any meeting which are defamatory or indecent or unparliamentary or undignified, he/she, may, in his/her discretion order that such words be withdrawn by member and the member shall comply with the order.

33. Procedure at special meetings of the Corporation: At a special meeting convened under subsection (2) of Section 55 for a discussion of budget estimates, no business shall be transacted and no motion shall be moved or discussed which does not directly relate to the business for which the meeting was convened or to the budget estimate, as the case may be, and no motion suggesting any change in a tax which the finance and contract committee proposes to impose or an increase or decrease of any item of expenditure in a budget estimate, shall be moved or discussed at any meeting at which such budget estimate is under consideration unless such motion is specified in the notice of the meeting issued under Section 57 or in the supplementary notice if any issued under the proviso to that section

Or unless in the case an adjourned meeting each of the conditions mentioned in the proviso to regulation 34 has been fulfilled.

34. Adjourned meeting: Any meeting of the Corporation may with consent of a majority of the members present, be adjourned to a later hour on the same day or to any other day, but no business shall be transacted at an adjourned meeting other than the business remaining undisposed of at the meeting from which the adjournment took place or the urgent business referred to in regulation 12:

Provided that an adjourned meeting at which a budget estimate is under consideration, a motion involving any change such as it described in regulation 33 may be made and discussed notwithstanding that such motion is not one remaining undisposed of at the meeting from which the adjournment took place, if each of the following conditions has been fulfilled, namely:-

- (i) That written notice of such motion has been given at the meeting from which the adjournment took place:
- (ii) That the adjournment has been for not less than two clear days and
- (iii) That a special notice of the motion has been given by the Municipal Secretary.

35. Motions in respect of certain matters: (1) A resolution of the Finance and Contract Committee or a Special Committee shall be moved by the Chairman of the respective Committee, if he so desires, or if he does not desire to move it or is absent, by any member of the concerned committee present, or failing him by any other member of the Corporation,

(2) Any of the matters referred to in any clause (d), (g),(h) , or (i) of regulation 10 shall be moved at the meeting by the Chairman of the Committee concerned with the subject matter thereof or in its absence by any other member of that Committee or failing both by any other member of the Corporation.

36. Copy of motion to be delivered to the Mayor:- Each motion shall be legibly written or printed in English and shall be read by the mover who may, if he/she so desires speak in favour of the motion(s), which shall then be delivered to the Mayor.

37. Questions once disposed of not to be reopened within three months:- No motion shall be entertained in regard to a question once disposed of, except after lapse of three months from the date of such disposal.

Explanation 1:- A motion which falls through for want of a seconder shall be deemed to have been disposed of within the meaning of this regulation.

Explanation II:- A resolution appearing on the agenda but not moved shall not be considered as disposed of.

38. Procedure in case of resolutions previously notified not being moved by members entitled to do so:- Any motion appearing in the list of business for any month which does not come up for consideration within the next three following months shall lapse:

Provided that nothing herein contained shall prevent any member to give a fresh notice of the same resolution to the Municipal Secretary under the proviso to Section 57.

39. Motion and amendment to be seconded: (i) After a member has moved any motion it shall be seconded by another member.

(ii) Any member may move an amendment to motion, which has been moved and seconded and such amendment also shall be seconded by another member after it has been moved.

(iii) A motion or an amendment thereto which has not been seconded shall fall through.

40. Member's right to speak on amendment:-A member, who has already spoken on a motion before the meeting is not thereby debarred from speaking on the amendment to the motion, provided that in so doing he/she conforms himself/herself strictly to the fresh matter introduced by the amendment.

41. Amendment of motions:-

i) An amendment shall be relevant to and within the scope of the motion to which it is proposed.

ii) An amendment which has the effect of a negative vote to the motion to which it is proposed, shall not be allowed.

iii) An amendment on a substantive motion, which is inconsistent with the previous decision on the same motion shall not be allowed or put to vote.

iv) Amendments shall be sent to vote in the reverse order in which they have been moved as against the original motion, that is to say the motion and the last amendment shall be put to the meeting first, whichever of the two is carried shall then become the substantive motion, which again shall be placed before the meeting as against the last but amendment and soon.

42. Rule to be observed while speaking: The following procedure shall be observed at a meeting of the Corporation:-

a) A member desiring to make any speech on any matter under discussion in the meeting shall speak from his/her place, and shall rise when he/she speaks, and shall address the Mayor.

b) if at any time the Mayor rises to speak, the member speaking or offering to speak shall resume his/her seat forthwith:

c) all questions from one member to another relating to the business of the meeting shall be put through the chair:

d) no member shall speak more than once on any matter but the proposer may speak in conclusion also after hearing all others who wish to speak:

e) written speeches shall not be read without the permission of the Mayor:

f) the matter of every speech shall strictly be relevant to the matter under discussion before the meeting and a member while speaking shall not:-

i) refer to any matter or fact on which a Judicial decision is pending.

ii) make a personal charge against a member or officer or other employee of the Government or the Corporation

iii) make use of offensive expression regarding the Parliament or any State Legislature or any public institution.

iv) reflect upon the conduct of the President of India or any Governor or Administrator or of a Court of Law acting in the exercise of its judicial functions:

v) utter treasonable, seditious or defamatory words: or

vi) use his right of speech for the purpose of willfully and persistently obstructing the business of the Corporation.

g) The Mayor after having called the attention of the conduct of a member who acts in contravention of clause (f) or persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by any other member in debate, may direct him to discontinue it forthwith.

43. Points of order: Any member may at any time during the meeting of the Corporation submit a point of order for the decision of the Mayor, but in doing so shall confine himself to stating the point and the Mayor shall decide all points of order which may arise or be referred to him and his decision shall be final.

44. Closure: It shall be competent for any member at the close of any speech on any item other than a budget item to move without debate, that the question be now put and the motion if seconded shall, unless it shall appear to the Mayor that such motion is an abuse of these regulations or an infringement of the rights of the minority, be put forthwith. Should the motion, be carried, the mover shall be entitled to reply but he shall bring his reply to a close within five minutes. Thereafter the motion or amendment or amendments under debate shall be at once put.

45. Motion required for withdrawal of motions and amendments:- A motion or an amendment can not be withdrawn save with the leave of the meeting.

46. Motion may be put in parts: (1) The Mayor shall have power to divide into two or more distinct parts any motion or amendment which in his opinion is so complicated as to be likely to lead to confusion or inconvenience by being debated on as on motion.

(2) When by virtue of clause (1), a motion or amendment is divided, it shall not be necessary, unless the Mayor decides to the contrary, for the second and following parts of such motion or amendment to be again separately moved and seconded but the parts of the motion so divided shall be put to vote by the Mayor one after another.

47. Dropping an item in certain cases:- Any member may, at the close of the speech of any other member, move that the Corporation do proceed to the next business and the motion be seconded, it shall be put to the vote forthwith without debate and if such a motion is carried the question under discussion shall be considered as dropped.

48. Priority to an item of Business:- (I) With the consent of the majority of the members present at any meeting the Mayor may give priority to any item of business, irrespective of the order in which such item stands on the list of business.

(2) No motion for giving priority to an item on the list of business shall be put to the meeting unless at least one clear days notice of such motion has been given to the Municipal Secretary who shall communicate the same to the members.

(3) Every such notice shall specify the date on which the motion shall be moved. If the motion is not made on the specified date, a fresh notice shall be required in respect of that motion.

(4) Notwithstanding anything contained in sub Regulations clause (1) (2) or (3), the Mayor may allow any business with respect to any urgent matter included in the supplementary list of business under regulation 12 to be taken up for consideration at any stage of the proceedings of the Corporation.

49. Power of Mayor to group items of business: It shall be competent for the Mayor, with consent of the majority of the members present, to submit for consideration as one subject any two or more items of business relating to the same subject although such items may not have been grouped together on the list of business.

50. Motion for adjournment of debate or meeting :- When a member moves a motion for adjourning the debate or the meeting, the Mayor may at once put it to the vote after giving members such reasonable opportunity as he thinks proper to state the reasons for or against such motion.

51. Definition of an adjournment motion:- A motion for adjournment of the debate or the meeting under regulation 50 shall be simpliciter but may be made subject to a specified limit of time, or the occurrence of a specified event, such as receipt of a report from the Commissioner or a Committee. If it includes any other qualifications, it shall be treated as an amendment under regulation 39.

52. Adjournment motion not to be moved in the middle of speech:- No motion for adjournment of the debate or the meeting shall be moved while a member is speaking.

Provided that the Mayor may at any time adjourn the meeting with the consent of the majority of the members present.

53. Second motion of adjournment:- A subsequent motion for the adjournment of the debate or the meeting shall not be moved until after the lapse of such time after the last previous motion as the Mayor deems to be reasonable.

54. Voting how to be counted:- i) Save as otherwise provided in these regulations, when voting is demanded by at least four members, the Mayor shall direct those who desire to vote for a motion and those who desire to vote against such motion to form themselves into two groups.

ii) Two tables having respectively placards "Ayes" and 'Noses' shall be placed at the two corners of the hall permanently and as soon as voting is demanded the Municipal Secretary shall place a list of members on each table and members will go and initial before their names in the presence of tellers appointed by the Mayor.

iii) The vote of each member present and voting upon the motion shall be taken by the tellers in the manner stated above, and the names of the members voting respectively for or against the motion as well as of those abstaining from voting, shall be recorded in the minutes book.

55. Minutes to be taken as read:- The minutes of a previous meeting of the Corporation shall be taken as read unless the majority of members present request that such minutes be read.

56. Amendment of minutes:- If any members present draws the attention of the meeting to any error or omission in the minutes of the previous meeting such correction shall be made therein as the Mayor, after taking the scene of the meeting, deems fit.

57. Powers of persons presiding in the absence of Mayor and Deputy Mayor:- The persons presiding over a meeting of the Corporation in the absence of the Mayor and the Deputy Mayor shall when so presiding, have the same powers as the Mayor and all references to the Mayor in these regulations shall in these circumstances be deemed to be references to any such person so presiding.

58. Election of Members of the Finance and Contract Committees:- (1) The standing Committee shall consist of the Mayor who shall be the ex-officio Chairman, the Commissioner of the Corporation and five members elected by the Corporation and the Secretary of the Corporation shall be ex-officio Secretary of this Sub-Committee.

(2) Every candidate for election as a member of the Standing Committee shall be nominated by a nomination paper in Form 2 which shall be signed by the candidate and two other members of the Corporation as proposer and seconder and delivered to the Municipal Secretary between the hours of eleven o'clock in the forenoon and five o'clock in the afternoon at least three clear days before the date of meeting at which the election is to be held.

(3) No member of the Corporation shall sign as proposer or seconder the nomination papers of more candidates than the number of vacancies to be filled. Any nomination papers subscribed in contravention of this sub-regulation shall be invalid and shall be declared as such by the Mayor.

(4) Any candidate may withdraw his candidature at any time before the election is proceeded with in the meeting.

(5) When the number of valid nominations is the same as or less than the number of members to be elected the Mayor shall declare such candidate or candidates to be duly elected as members of the Standing Committee.

(6) Where the number of nominations exceeds the number of vacancies the election shall be held in accordance with the system of proportional representation by means of the transferable vote and the voting at such election shall be held by secret ballot.

7. The Municipal Secretary shall provide at the meeting:-

a) ballot box:

b) a sufficient number of ballot papers as prescribed in Form 3;

c) materials sufficient for the purpose of enabling members of the Corporation to mark the ballot papers.

8. (a) Every member of the Corporation shall have one vote only.

(b) A member in giving his vote;

i) shall place on his ballot paper the figure 1 in the space opposite the name of the candidate for whom he votes; and

ii) may in addition, place on his ballot paper the figures 2, 3 and 4, etc. and so on in the spaces opposite the names of the other candidates in the order of his preference.

9 (a) Every member of the Corporation on receiving a ballot paper shall proceed into one of the polling compartments provided for the purpose of recording votes and shall record his vote in accordance with the instructions set out the ballot paper.

b) The member shall then before leaving the polling compartment fold up his ballot paper so as to conceal his vote and put the ballot paper so folded into the ballot box in the presence of the Mayor.

c) Every member shall record his vote and quit the polling Compartment without undue delay.

10. The ballot box shall remain open for the casting of votes for such period as may be fixed by the Mayor.

11. (a) As soon as the period fixed for casting of votes is over, the Mayor shall;

i) open the ballot box and take out the ballot papers contained therein.

ii) count the number of ballot papers so taken out or cause it be counted and record such number in statement;

iii) scrutinize the ballot papers and separate the ballot papers which he deems valid from those which he rejects as invalid by endorsing thereon the word rejected and the ground of such rejection;

iv) arrange the valid ballot papers in parcels according to the first preference recorded for each candidate; and

v) count the votes in the meeting in the presence of such of the members as may be present with the assistance of such persons as may be appointed by the Mayor in this behalf.

b) The provisions of rule 115, sub-rule (1) of rule 116, rules 121 to 127 and rule 129 of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956, shall, so far as may be, apply in relation to the counting of votes at an election of the members of the Standing Committee as they apply in relation to the counting of votes as elections in council constituencies subject to modification that any reference to the "returning officer" in any of those provisions shall be construed as a reference to the "Mayor".

12. Upon the completion of the counting of votes, the Mayor shall prepare and certify in Form 4 setting forth:-

i) the names of the candidates for whom valid votes have been given;

ii) the number of valid votes given to each candidate;

ii) the number of votes declared invalid and rejected ; and

iv) the name of the persons declared elected.

13. The ballot papers shall be kept by the Municipal Secretary till the next election and may then be destroyed by him. In case the election has been challenged in any court of law in Ballot papers should be kept till the finalization of the case in the court of law.

59. Convening of Meetings of Committee:- (1) The date, time and place of the meeting of any other committee after its constitution such Section 42 shall be fixed by the Commissioner.

(2) The date, time and place of every subsequent meetings of any Committee shall be fixed by the Commissioner.

Provided that a meeting of the Finance and Contract Committee shall be held normally once a month. A meeting of other Committee, if any, shall be held normally once a fortnight and the meeting of any other special committee shall be held, whenever necessary. If the Committee omits to fix the date, time and place of the meeting, it shall be fixed by the Chairman of the respective committee.

60. Election of Chairman and Deputy Chairman:- (1) The Mayor shall nominate a member of the Committee concerned referred to in sub-regulation(1) of regulation 59, who is not a candidate for election as Chairman or Deputy Chairman, to preside at first meeting in each year.

(2) The procedure prescribed in regulation 6 for the election of Mayor shall, as far as may be, apply for the election of Chairman or Deputy Chairman under this regulation subject to the modification that reference to the presiding authority of the said regulation shall be construed as reference to the person nominated under, sub regulation (1).

61. Quorum:- No business shall be transacted at a meeting of the Finance and Contract Committee unless at least three members are present.

62. Resolution:-A member, who desires to move any resolution shall give notice of his intention to the Municipal Secretary at least two clear days before the day of the meeting of the Committee at which such resolution is to be brought forward.

63. List of Business:- The Municipal Secretary shall send each member on the day previous to the meeting the list of business for the meeting and except in special circumstances and with the assent of the members present, no business entered on such list shall be transacted at a meeting of the Committee.

64. Member's right to ask postponement of certain items of list of business: The consideration of any item in the list of business of which two days notice has not been given, shall on the request of any two members of the Committee made before discussion thereon begins either orally or in its absence of letter, be postponed until the next meeting.

65. Seconding of resolution and amendments:- All resolutions, motions or amendments shall be duly proposed and seconded.

66 Certain motions or amendments to be voted in parts: The Chairman shall have power to divide into two or more distinct parts any motion or amendment, which, in his opinion, is so complicated as is likely to lead to confusion or inconvenience by being voted as a whole.

67. Amendments:- (1) When a motion has been put in the meeting any member may propose an amendment thereon. No second amendment, except for the adjournment of the debate, shall be proposed until the first has been disposed of.

(2) The first amendment, if carried, shall be put as a substantive motion to which other amendments may be proposed.

(3) A motion to adjourn a meeting or to postpone the consideration of a particular item of list of business shall always take precedence.

68. Point of order:- The Chairman shall decide summarily all points of order raised at meeting of the Committee.

69. Voting:- (1) Voting shall be by show of hands.

(2) Every question shall be decided by a majority of votes of the members of the Committee present and voting, the Chairman having a second or casting vote when there is an equality of votes.

70. Confirmation of minutes:- (1) The minutes of a meeting shall be previously circulated and be taken as read unless the majority of the members request that such minutes be read.

(2) If any member present draws the attention of the Chairman to any portion of the minutes of the previous meeting as being erroneously recorded in the minute book, such correction as is deemed necessary by the Chairman shall be made before the minutes are signed.

71. Powers of person presiding in the absence of Chairman:- The person presiding over a meeting of a Committee in the absence of the Chairman shall, when so presiding, have the same powers as the Chairman when so presiding and all references to the Chairman in this part shall in those circumstances be deemed to be references to any such person so presiding.

72. Procedure for the conduct of business of a meeting of a Committee:- Save as otherwise provided in these regulations the procedure laid down for the conduct of business of a meeting of the Corporation shall as far as may be, be followed for the conduct of business at a meeting of any Committee other than an ad hoc committee.

73 Presiding Officer of a sub-committee:- A sub-committee constituted under Section 42 at the act may choose one of the members to preside over its meeting.

74. Transaction of business by a sub-committee:- A sub committee may meet and adjourn as it thinks proper and shall transact its business subject to the instructions that may be issued by it under Section 42 of the Act.

75. Quorums:- No business shall be transacted at a meeting of sub-committee unless at least more than half of the members of the sub-committee are present.

76. Procedure:- In other respects, the procedure laid down by regulations 62 to 75 for the conduct of business at a meeting of the Committee referred to therein shall, as far may be followed for the conduct of business at a meeting of the sub committee.

FORM I

Nomination Paper

(See regulations 6(2) and (8))

Election of Mayor / Senior Deputy Mayor / Deputy Mayor, Municipal Corporation of Chandigarh.

(To be filled by the proposer)

I, hereby nominate _____ as a candidate for election as Mayor / Senior Deputy Mayor / Deputy Mayor.

1. Full name of proposer _____

2. Full name of seconder _____

3. Name of the candidate (councilor) _____

Dated _____

Signature of Proposer,

Signature of Secunder,

(To be filled by the candidate)

I, the above noted Councillor, assent to this nomination.

Dated _____

Signature of Candidate

(To be filled by the Municipal Secretary)

Sr. No. of nomination paper _____

This nomination paper was delivered to me at my office at _____(hours) on _____(date) by the candidate/proposer.

Dated:- _____

Municipal Secretary,

Receipt for nomination paper to be handed over to the person presenting the nomination paper.

Sr. No. of nomination paper _____

This nomination paper of _____ candidate for election as **Mayor / Senior Deputy Mayor / Deputy Mayor of the Municipal Corporation of Chandigarh**, was delivered to me at my office at _____ (hours) on _____(date) by the candidate/proposer.

Dated:- _____

Municipal Secretary,

FORM 2

Nomination Paper

(See regulations 58(2) 4)

Election of Members of the _____ Committee, Municipal Corporation of Chandigarh.

(To be filled by the proposer)

I, hereby nominate _____ as a candidate for election as a member of the _____ Committee.

1. Full name of proposer _____

2. Full name of seconder _____

3. Name of the candidate (councilor) _____

Dated _____

Signature of Proposer,

Signature of Seconder,

(To be filled by the candidate)

I, _____ the above named candidate assent to this nomination.

Dated _____

Signature of Candidate

(To be filled by the Municipal Secretary)

Sr. No. of nomination paper _____

This nomination paper was delivered to me at my office at _____ (hours) on _____ (date) by the candidate or proposer.

Dated:- _____

Municipal Secretary,

Receipt for nomination paper to be handed over to the person presenting the nomination paper.

Sr. No. of nomination paper _____

This nomination paper of _____ a candidate for election as a member of the _____ Committee, Municipal Corporation of Chandigarh, was delivered to me at my office at _____ (hours) on _____ (date) by the candidate/ proposer.

Dated:- _____

Municipal Secretary,

FORM 3**(See regulation 58(7) (b))**

Election of members of the _____ Committee,

Municipal Corporation of Chandigarh:-

S. No. of candidate	Name of Candidate	Mark orders of preferences
1.		
2.		
3.		
4.		
5.		
Etc.		

INSTRUCTIONS

1. The number of members to be elected is **five**.
2. Vote by placing the figure, '1', in the space opposite the name of the candidate for whom you wish to vote. Place the figure, 'x', opposite the name of the one candidate only (although **five** members are to be elected).
3. You may indicate your relative preference for the other candidates by placing in the space opposite their names the figures 2, 3, 4, etc. in order of such preference.
4. Do not place more than one figure opposite the name of any candidate.
5. Do not place the same figure opposite the name of more candidates than one.

FORM 4

Return of Election

(See regulation 57 (12))

Election of _____ Committee, Municipal Corporation of Chandigarh:-

S. No. of candidate	Name of Candidate	Number of valid votes given to the candidates
1	2	3
1.		
2.		
3.		
Etc.		

Total number of valid votes _____

Total number of invalid votes _____

I, declare that _____

1. (Name) _____

2. (Name) _____

etc. _____ have been duly elected.

Dated _____

(Signature of Mayor)

Procedure regarding Short Notice Enquiries

1. Any Member may intimate in writing to the Municipal Secretary two hours before the time of a meeting the subject matter of the enquiry on a matter of public importance.
2. The Municipal Secretary will place all such requisition before the Mayor who will decide as to which matter is the most important.
3. Not more than one such requisitions will be considered at any meeting ordinary or adjourned.
4. The Municipal Secretary shall immediately inform the Commissioner about the requisition who will make a statement in the House, if the House agrees. There shall be no discussion on the statement made by the Commissioner.
5. The Mayor shall be guided by the following factors by allowing a requisition:-
 - (1) That it is of urgent nature and of public interest.
 - (2) That it deals with the Municipal Administration of Chandigarh.
 - (3) That it can not be considered as a "Resolution" and
 - (4) That the subject has not already been disposed of by the Corporation.

Procedure regarding matter of privileges

- 1. A member may with the consent of the Mayor, raise a question involving a breach of privilege by giving notice of it in writing to the Municipal Secretary, at least two hours before the commencement of the meeting on the day the matter is proposed to be raised.**
- 2. If the Mayor gives consent, the member may raise the matter after questions and short notice enquiry if any. The member while raising the question shall make a brief statement relating thereto.**
- 3. The member concerned shall then explain briefly and the Mayor may hear other members; if so desired.**
- 4. After hearing the members the Mayor shall decide whether a prima facie case of breach is there or not.**
- 5. If he holds that a prima facie case is not made out the matter shall be dropped.**
- 6. If Mayor he is of the opinion that a prima facie case is made out, he shall refer the matter for investigation and report to a committee of five members to be named by him.**
- 7. The Committee shall, as far as possible, adopt the procedure adopted by the Committee of Privileges and submit its report to the Corporation with its recommendations.**
- 8. As soon as may be after the report has been presented the Corporation shall consider the report.**

Procedure for the members to propose resolutions in the Committee of which they are not members

- 1. A member, not being a member of the Committee may give notice of any resolution which he intends to be discussed in the Committee in writing and deliver the same to the Secretary at least three clear days before the day of the meeting.**
- 2. The Secretary shall forthwith forward the same to the Chairman for orders.**
- 3. When the resolution is included in the agenda a copy of the agenda will be sent to the member concerned.**
- 4. The member whose resolution is included in the agenda, may if he desires, attend the meeting of the Committee and be permitted by the Chairman to speak for such time as may be fixed by the Chairman.**
- 5. After the speech, the member shall leave the meeting.**
- 6. The Committee shall then take a decision on the resolution in accordance with the procedure for the resolution by the members.**
- 7. A copy of the minutes of the meeting at which decision on the resolution is taken by the Committee shall be forwarded to the member concerned for the information and record.**

**(Sd.)
Commissioner,
Municipal Corporation,
Chandigarh.**