

ARUNACHAL PRADESH MUNICIPAL COUNCILS NO CONFIDENCE MOTION
(METHODS AND CONDUCT OF PROCEDURES) RULES, 2015

The Arunachal Pradesh Gazette No. 123, Vol. xxn, EXTRAORDINARY PUBLISHED BY AUTHORITY Naharlagun, Wednesday, June 3, 2015 Jyaistha 13, 1937 (Saka) GOVERNMENT OF ARUNACHAL PRADESH TOWN PLANNING AND ULB ITANAGAR NOTIFICATION The 3rd June, 2015 No. DTP/MUN-86/2015-16.—Whereas, the draft rules of the Arunachal Pradesh Municipal Councils No Confidence Motion (Methods and Conduct of Procedures) Rules, 2014 was published in the Arunachal Pradesh Gazette vide No. DTP/MUN-70 dated 30th January, 2015 inviting suggestions and objections from any persons in respect to the draft rules as required under Section 446 (1) that the said draft rules shall be taken into consideration after expiry of 30 days from the date on which the copies of the notification were made to the public , And whereas, no objections and suggestions were received from any person with respect to the said draft rules , Now, therefore, in exercise of the powers conferred by section 446 (1) of Arunachal Pradesh Municipal Act, 2007 the Governor of Arunachal Pradesh is pleased to make the rules absolute, namely • 1. Short name, extent and commencement : These rules may be called the Arunachal Pradesh Municipal Councils No Confidence Motion (Methods and Conduct of Procedures) Rules, 2015. It shall extend to such places where Municipalities have been constituted in the State of Arunachal Pradesh. (ii) They shall come into force with immediate effect



2. Methods and procedures of the conduct of No Confidence Motion against the Chief Councillor : A No Confidence Motion brought under sub-section (3) of Section 25 against the Chief Councillor shall be considered and disposed of as per the following procedures: (i) On receipt of a requisition in writing received from not less than one third of the total number of elected Councillors for removal of the Chief Councillor, the Chief Municipal Executive officer shall forward the same to District Magistrate or Magistrate in-charge of the sub-division in which the Municipal Area is situated to conduct No Confidence Motion against Chief Councillor. The District Magistrate or Magistrate in-charge of the sub-division in which the Municipal Area is situated or an officer of the State Government authorized in this behalf by the District Magistrate shall issue notice for a special meeting within 7 days of the receipt of such notice and directing further that the special meeting shall be convened within 15 days of the issuance of the said notice. (ii) The notice issued for considering No Confidence Motion against the Chief Councillor shall clearly contain the reasons/allegations on which basis the No Confidence Motion is to be brought. (iii) On the day fixed for the special meeting, the session shall be presided by the District Magistrate or Executive Magistrate in-charge of the sub-division in which the Municipal area is situated or any Executive Magistrate duly authorized in this behalf by the District Magistrate. (iv) As soon as the special meeting commences, the presiding officer shall read out the motion on which the meeting has been called before the members present and declare it open for discussion. During discussion, opportunity shall be given to the Chief Councillor against whom No Confidence Motion is moved, to defend himself. The motion shall be put to vote by the presiding officer by secret ballot in



FORM No. 1 on the same day after discussion and thereafter the result shall be declared in FORM No. 2 (v) Quorum for the said meeting shall be as per section 52 of the Act. (vi) If the motion is carried with the support of majority of the total numbers of the Councillors at a special meeting, the Chief Councillor shall be deemed to have vacated his/her office. 2 The Arunachal Pradesh Extraordinary Gazette, June 3, 2015

(vii) In the event of the post of Chief Councillor falling vacant as a sequel to the passage of the No Confidence Motion and until a new Chief Councillor is elected under sub-section (3) of section 23 and enters office or until a new Chief Councillor resumes his duties are elected, the Deputy Chief Councillor, read with section 26(2) shall exercise the powers, performs the functions and discharges the duties of the Chief Councillor or such powers as may be delegated to him under the Act. (viii) Where the posts of Chief Councillor falls vacant as a consequence of No Confidence Motion, (ix) (x) the process of electing new Chief Councillor shall be completed within 30 days of the post of Chief Councillor becoming vacant. On completion of the process, District Magistrate or Executive Magistrate in-charge of the sub-division in which the Municipal area is situated or any Executive Magistrate duly authorized in this behalf by the District Magistrate shall submit report to the Chief Municipal Executive Officer and thereafter the Chief Municipal Executive Officer or the Municipal Executive Officer shall submit a report to the State Election Commission and State Government as per FORM -3. No such resolution shall be moved before the expiry of six months from the date of entering office by the new Chief Councillor, and if such resolution is not carried by a majority of the total number of councillors, no further resolution for such purpose shall be moved before the expiry of a period of six months from the date on which the former resolution was moved. K. Kholie, IAS Secretary (TP & ULB), Government of Arunachal Pradesh, Itanagar. The Arunachal Pradesh Extraordinary Gazette, June 3, 2015 FORM-I (Under Rule 2, Sub-Rule iv) NO CONFIDENCE MOTION AGAINST CHIEF COUNCILLOR Name of Municipal Council..... 3 Sl. No. In favour of No Confidence Motion 1 Date Against No Confidence Motion Presiding Officer FORM - 11 (Under Rule 2, Sub-Rule iv) RESULT OF SECRET BALLOT FOR NO CONFIDENCE MOTION AGAINST CHIEF COUNCILLOR Name of Municipal Council..... 1. 2

**3. Total Number of vote polled in favour of Motion Total Number of vote polled against Motion
Total number of abstentions Place • Date I declare that (name) Presiding Officer CERTIFICATE
Chief Councillor of Itanagar Municipal Council, got....** No. of votes in favour of Motion and No. of
votes against the Motion. Therefore, the No confidence Motion against Chief Councillor is carried
out/failed. Place Date • Presiding Officer



FORM - III (Under Rule 2, Sub-Rule ix) REPORT OF VACANCY TO THE POST OF CHIEF

COUNCILLOR CMEO/District Magistrate Empowered under Rule 2 Sub-Rule 9 of the Rules, 2015.

Report that the post of Chief Councillor..... . Municipality has fallen vacant in view of No Confidence Motion Passed against the said incumbent on..... . Place Date : Published and printed at Directorate of Printing, Naharlagun Presiding Officer — 245/2015-DoP-250 +Secy TP WLB -50-6-2015.

