

The Punjab Municipal (President and Vice-President) Election Rules, 1994

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Rule - 1. Short title and commencement.--

- (1) These rules may be called the Punjab Municipal (President and Vice-President) Election Rules, 1994.
- (2) They shall come into force at once.

Rule - 2. Definitions.--

In these rules, unless the context otherwise require, -

- (a) 'Act' means the Punjab Municipal Act, 1911;
- (b) 'Election' means Election of a President and Vice-President of a Municipality;
- (c) 'Deputy Commissioner' means Deputy Commissioner of the concerned district;
- (d) 'Government' means the Government of the State of Punjab in the Department of Local Government; and
- (e) 'Gazetted Officer' means a Government servant belonging to any All India Specialist or State Service or any other Government servant holding a post which may have been declared by the competent authority to be a Gazetted post.

Rule - 3. Manner of election.--

- (1) The Deputy Commissioner or any other officer authorised by him in this behalf (here-in-after referred to as the Convener) shall, within a period of [fourteen][1] days of the publication of the notification of the election of members of a newly constituted Municipality, fix, by giving not less than forty-eight hours notice to be served at the ordinary place of residence of all the elected members, a date for convening the first meeting of the elected members of such Municipality by stating in the notice that at such

meeting, the oath of allegiance will be administered to the members present and also stating that the President and Vice-President or Vice-Presidents as the case may, be shall be elected :

[Provided that all subsequent meetings to fill casual vacancies of the offices of President and Vice-President or Vice-Presidents as the case may be, shall be convened by the Convener.][2]

- (2) If due to any reason, the elected member is unable or refused to take oath of allegiance as required by sub-rule (1) within the stipulated period, then he will be allowed to take such oath of allegiance in the subsequent meeting unless he is debarred from taking the same by the Government for any reason. In case any such member does not take the oath of allegiance as aforesaid, then a fresh election to the constituency to which that member represents, shall be held,][3]

[4] [Rule - 4. Voting by show of hands.--

- (1) The voting for the offices of President, Senior Vice-President any Vice-President, as the case may be, shall be by show of hands.
- (2) The person presiding over the meeting convened under rule 3, shall keep a brief record in writing.]

Rule - 5. Conduct of election.--

- (1) When the office of the President or the Vice- President is to be filled, -
 - (a) if only one candidate for the office is proposed, he shall be declared to have been elected;
 - (b) if there is more than one candidate, the candidate who obtains the largest number of votes shall be declared to have been elected; and
 - (c) if two or more candidates obtain an equal number of votes, the person presiding over the meeting shall at once decide between the candidates by drawing a lot in the presence of the members attending the meeting.
- (2) When there are two offices of Vice-President of a Municipality and both such offices are to be filled, -

- (a) voting shall take place at the same election for both the offices of the, VicePresidents of a Municipality and each member of the Municipality shall record one vote only;
- (b) the two candidates who obtain the largest number of votes shall be deemed to be elected :

Provided that if owing to the fact that two or more candidates have obtained an equal number of votes, it is impossible to decide which of the two candidates have obtained the largest number of votes, the matter shall be decided by a lot in the manner specified in clause (c) of sub-rule (1); and

- (3) the candidate obtaining the largest number of votes shall be deemed to have been declared by the Municipality to be the Senior Vice- President and the candidate obtaining the second largest number of votes shall be deemed to be the junior Vice-president, provided that if both the candidates elected have obtained an equal number of votes, the matter shall be decided by a lot in the manner specified in clause (c) of sub-rule (1).

[5] [\[Rule - 6. Filling of casual vacancies.--](#)

When there are two offices of Vice- President of a Municipality and one such office falls vacant, the Vice- President remaining in office shall be deemed to be the Senior Vice-President for the period of his unexpired term and an election of the vacant office of the Junior Vice-President shall be held in the manner prescribed in rules 4 and 5.

[1] Substituted for "ninety" vide Punjab Govt. Notification No. G.S.R. 10/P.A.3/II/S.240/Amd.(5)/2003 dated 28.2.2003.

[2] Inserted vide Punjab Govt. Notification No. G.S.R. 10/P.A.3/II/S.240/Amd.(5)/2003, dated 28.2.2003.

[3] Substituted vide Punjab Govt. Notification No. G.S.R. 52/P.A. 3/11/S.240/Amd.(3)/99 dated July 8, 1999.

[4] Substituted vide Punjab Govt. Notification No. G.S.R. 71/P.A. 3/11/S.240/Amd.(4)/2001 dated 17th May, 2001.

[5] Rule 6 omitted and rule 7 re-numbered as rule 6 by Punjab Govt. Notification No. O.S.R. 71/P.A. 3/11/S.240/Amd.(4)/2001 dated 17th May, 2001.

