

**THE MEMBERS OF ARUNACHAL PRADESH URBAN LOCAL BODIES  
(DISQUALIFICATION ON GROUND OF DEFECTION) ACT, 2014.**

**(ACT NO. 5 OF 2014)**

**(Received the assent of the Governor on 27th March, 2014 and  
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dated 21st April, 2014)**

**An**

**Act**

to provide for disqualification of the members of Urban Local Bodies in  
Arunachal Pradesh on Ground of Defection.

Be it enacted by the Legislative Assembly of Arunachal Pradesh in the  
Sixty-fifth Year of the Republic of India as follows :

1. (1) This Act may be called the Members of Arunachal Pradesh Urban Local Bodies (Disqualification on Ground of Defection) Act, 2014. Short title,  
Extent and  
commence-  
ment.
- (2) It shall apply to all Urban Local Bodies in the State of Arunachal Pradesh.
- (3) It shall come into force on the date notified in the official Gazette.
2. In this Act, unless the context otherwise requires - Definition.
- (i) **"Member"** means any elected person to any Urban Local Body ;
- (ii) **"Political Party"** has the same meaning assigned to it in the Tenth Schedule to the Constitution India and the Central Acts relating to Political Parties and Elections.
- (iii) **"State Election Commissioner"** means the State Election Commissioner appointed under Section 104 of the Arunachal Pradesh Panchayat Raj Act, 1997.
- (iv) **"Urban Local Body"** means a Nagar Panchayat or a Municipal Council or a Municipal Corporation, as the case may be.
- (v) All other words not expressly defined herein shall have the same meanings assigned to them in the Central and Arunachal Pradesh Acts.

Disqualification  
on the ground  
of defection.

3. (1) Subject to the provisions of sections 4, a member of a Urban Local Body belonging to any political party shall be disqualified for being such a member-

- (a) If he has voluntarily given up his membership of such political party ; or
- (b) If he votes or abstains from voting or remains absent from any meeting meant for voting in a Urban Local Body contrary to any direction issued by the political party to which he belongs or any person or authority authorised by it in this behalf without obtaining the prior permission of such party, person or authority and such voting, abstention or absence has not been condoned by such political party, person or authority within fifteen days from the date of such voting or such abstention or such absence ;

**Explanation —** For the purposes of this sub-section a person elected as a member, shall be deemed to belong to the political party, if any, by which he was set up as a candidate for election as such member ;

- (2) A person elected as a member to a Urban Local Body, otherwise than as a candidate set up by a political party, shall be disqualified from being a member if he joins any other political party after such election.

Disqualification  
on the ground  
of Defection  
not to apply  
in case of  
merger.

4. (1) A member shall not be disqualified under sub-section (1) of section 3, where his political party merges with another political party and he claims that he and any other members of his political party,-

- (a) have become members of such other political party, or as the case may be, of a new political party formed by such merge ; or
- (b) have not accepted the merger and opted to function as a separate group, and from the time of such merger, such other political party or new political party or group, as the case may be, shall be deemed to be the political party to

Provided that if the Chief Secretary also functions as the State Election Commissioner the appeal shall be made to the Minister-in-charge of Urban Local Bodies in the State.

- (2) The Chief Secretary shall follow a summary procedure of taking evidence and hearing the parties concerned in accordance with this Act and other laws concerning dispensation of natural justice. The decision on the appeal shall be published in the official Gazette of the State.

Powers to  
make  
rules.

7. The State Government may make rules for carrying out the purposes of this Act and every such rule shall be published in the Gazette and laid before the Legislative Assembly at the earliest opportunity which has the power to annul or modify the rules.

C.P. Mansai  
Secretary to the  
Government of Arunachal Pradesh,  
Itanagar.