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SURAT MUNICIPAL CORPORATION

RULES REGULATING THE CONSTITUTION;

CONDUCT OF BUSINESS OF MEETING ETC.

OF SPECIAL COMMITTEES

1. CONSTITUTION OF SPECIAL COMMITTEES :-

- (1) The Corporation may from time to time appoint any of them or all Special Committees mentioned in sub-rule 3, under section 30 of the B.P.M.C. Act.
- (2) All Special Committees shall consist of '9' Councillors.
- (3) Under mentioned Special Committees may be appointed by the Corporation.
  - (i) Health Committee.
  - (ii) Public Works Committee.
  - (iii) Water Works Committee.
  - (iv) Town Planning Committee.
  - (v) Social Welfare, Recreational and Cultural Committee.
  - (vi) Drainage Committee.
  - (vii) Legal Committee.
  - (viii) Hospital, Medical Relief and Health Promoting Committee.
  - (ix) Housing Project and Garden Committee.
  - (x) Light and Fire (Extinguishing) Committee.
  - (xi) Slum Improvement Committee.
  - (xii) Gas Committee.

2. APPOINTMENT AND TERM OF OFFICE :-

Subject to the section 30 of the B.P.M.C. Act.,

- (1) The Corporation shall at its first meeting called by the Mayor or Deputy Mayor after the General Election or at a meeting called soon after these Rules come into force appoint the prescribed number of persons out of its own body to be the members of a Special Committee for a term of one year, on the expiry the above said period of one year, the Corporation shall appoint prescribed number of persons out of its own body to be member of the Special Committee for the subsequent year from time to time.

- (2) A member of a special Committee appointed as aforesaid shall continue to function even after the expiry of the period of his office of one year until fresh appointment have been made to the Committee by the Corporation.

Provided that all members of a Special Committee shall retire from office on the day of the first meeting of the Corporation called by the Commissioner after a general election.

Provided further that notwithstanding anything contained in this rule, the Corporation may appoint a Special Committee at any time for any specific purpose or purposes not inconsistent with the provisions of the Act for a term not exceeding the term of the Councillors appointed thereat.

### 3. <sup>A</sup> CASUAL VACANCIES IN A SPECIAL COMMITTEE HOW TO BE FILLED

- (1) In the event of non-acceptance of office by a councillor appointed to be a member of a Special committee or of the death or resignation of a member of the said Committee or of his becoming incapable of acting previous to the expiry of his term of Office or of his seat becoming vacant under sub-section(5) of Section 30 of the Act or on his ceasing to be a councillor the vacancy shall be filled up by the Corporation, as soon as it conveniently may be, by the appointment of a councillor thereto who shall hold office so long only as the member in whose place he is appointed would have been entitled to hold it, if the vacancy had not occurred.

- (2) No councillor shall be ineligible at any time for appointment as a member of Special Committee on the ground that he has previously been a member of the Committee.

4. THE TIME AND PLACE OF MEETING OF A SPECIAL COMMITTEE :-

- (1) A meeting of a Special Committee may ordinarily be held once a fortnight; such a meeting may, however, be called at such other time as the Chairman or in his absence the Deputy Chairman of the Committee find to be necessary or on the requisitions of the Commissioner.
- (2) A meeting of a Special Committee shall, usually, be held in the principal Municipal Office but for special reasons to be mentioned in the notice convening the meeting may be held at such other place as the Chairman or in his absence, the Deputy Chairman of the Committee concerned may direct.
- (3) The first meeting of the Special Committee after its appointment shall be held on a day and at a time and place to be fixed by the Commissioner and if not held on that day shall be held on some subsequent day and at a time and place to be fixed by the Commissioner.
- (4) The business to be transacted at the first meeting as afore-said after its appointment shall be the appointment of Chairman and Deputy Chairman of the Committee.
- (5) A. In case of a casual vacancy in the office of the Chairman or Deputy Chairman, the Committee shall fill the vacancy for the unexpired portion of the term of office of the Chairman or Deputy Chairman as the case may be.
- B. To fill up the casual vacancy as stated above, the Special Committee shall be held on a day and at a time and place to be fixed by the Commissioner, and if not held on that day shall be held on some subsequent day and at a time and place to be fixed by the Commissioner.

- (6) The Chairman and Deputy Chairman shall hold office until the new Chairman and Deputy Chairmen are appointed in the first meeting of the committee in the next following year unless in the meantime the committee ceases to function. They shall, however, be eligible for re-election.
- (7) Notwithstanding the provisions of sub Rule (4), (5)A & (6) the Chairman or Vice Chairman shall vacate office as soon as he ceases to be a member of the Committee.

5. THE MANNER IN WHICH NOTICE OF MEETING MAY BE GIVEN :-

(1) A. At least two clear day's notice may ordinarily be given of every meeting of a Special Committee to members thereof other than (i) an adjourned meeting, (ii) a Special meeting call on a requisition by the Commissioner for the transaction of an urgent business, (iii) A Special meeting call on a written request of the Mayor or the Deputy Mayor if the case may be, and (iv) A Special meeting call on the written request of not less than two thirds of the total number of members of the committee.

B. Of adjourned meetings, a notice of such adjournment posted in the Municipal Office shall be deemed to be sufficient notice.

(2) Every notice of a meeting shall specify the time and place at which such meeting is to be held, and the business to be transacted thereat, and shall be sent by Municipal Secretary to each member by ordinary post to the last known address of such member, or by delivery of it by peon to him or any adult member of his family or servant found at the last known place of residence of such member.

(3) It shall be the duty of the Municipal Secretary to include in the agenda of business of the meeting all the proposals contained in the letters received by him from the Municipal Commissioner and motions from members of the Committee upto clear one day previous to the day of issue of the notice of the meeting.

(4) (i) The Chairman of the Committee and, in his absence, the Deputy Chairman shall upon written requisition signed by the Commissioner call a special meeting of the said Committee within 24 hours for the transaction of any business which in the opinion of the Commissioner cannot be delayed until the next ordinary meeting of the said Committee.

(ii) The Chairman of a Committee shall upon the written request of the Mayor, or the Deputy Mayor or of not less than two thirds of the total number of member of the Committee, and for a date not more than four days after the presentation of such request to the Chairman call a Special Meeting of such Committee.

(5) No business shall be transacted at any meeting other than the business specified in the notice mentioned above, except any urgent business which the Commissioner deems it expedient to bring before the meeting, or any urgent business or motion which the Chairman deems it expedient to bring before the meeting.

6. PRESIDING AUTHORITY :-

(1) Every meeting of special Committee shall be presided over by the Chairman of the Committee, and if the Chairman is absent, by the Deputy Chairman of the Committee and in the absence of both of them, by such one of the members present

as may be chosen by the meeting to preside the meeting for the occasion.

(2) Where the meeting is presided by the member chosen for the occasion in the absence of both the chairmen and the Deputy Chairman and if the chairman or the Deputy Chairman attends at any time during the course <sup>of</sup> such meeting the member so presiding over the meeting under sub rule (1) shall vacate the chair and meeting, shall continue and shall be presided by the chairman or the Deputy Chairman as the case may be.

(3) Where in the absence of the chairman if the Deputy chairman is presiding over the meeting and the chairman attends such meeting the Deputy chairman must vacate the chair and the chairman shall preside over the meeting.

7. THE QUORUM

(i) No business shall be transacted at a meeting of Special Committee unless at least five members are present from the beginning to the end of such meeting.

(ii) The meeting shall meet at the appointed time but if there is no quorum present at the appointed time, members, who are present shall wait for 30 minutes (from the appointed time). After that if there is no Quorum the presiding authority, and in the absence of the presiding authority, members remain present shall adjourn the meeting to some other day fixing such time and place for the same as he thinks/they think convenient.

8. THE MANAGEMENT AND ADJOURNMENT :-

- (1) The presiding authority shall have power to divide into two or more distinct propositions any business, which in his opinion is so complicated as to be likely to lead to confusion or inconvenience by being voted upon as one proposition.
- (2) The presiding authority shall decide summarily all points of order or procedure.
- (3) When a proposition has been put to the meeting any member may propose an amendment. No second amendment except for the adjournment of the debate shall be proposed until the first has been disposed of. The first if carried, shall be put as a substantive motion to which other amendments may be proposed.
- (4) A proposition to adjourn the meeting or to postpone the consideration of a particular question shall always take precedence.
- (5) Voting shall be by show of hands, Every question voted on shall be put both for and Against.
- (6) No question once disposed of by a Committee shall be re-opened within a period of three months unless atleast the half of the members present at meeting vote in favour of re-considering the question.
- (7) The chairman may exsise from the notice of motion or proposition by a member any matter which he may consider to be frivolous, vexatious, insulting, libellous or grossly offensive and, if deemed proper, he may disallow it <sup>altogether.</sup>

In case any motion or amendment containing any such objectionable matter is actually proposed at a meeting it shall be competent to the presiding

authority to excise such motion or amendment or disallow it altogether.

- (8) Every question shall except as otherwise provided in the Act or in these rules, be decided by a majority of votes of the members of the Committee present and voting on that question, the presiding authority having a second or casting vote when there is an equality of votes.
- (9) A meeting may be adjourned from time to time on such day and time as may be fixed by the meeting.
- (10) All proposals involving changes in or excess over budget grants sanctioned by the Corporation shall be submitted by the Special Committee to the Corporation through the Standing Committee.

9. CONFERENCE BETWEEN COMMITTEES :-

- (a) When necessary, any Special Committee may invite any other Special Committee or Committees for consultation on any subject which may concern such Committees, jointly. The Chairmen of the inviting Committee shall be in the Chair of the occasion.
- (b) Any Special Committee or Committees may have a joint conference with the Standing Committee on a date, time and place fixed by the Chairman of the Standing Committee, who shall preside at such conference.

10. THE KEEPING OF MINUTE AND THE SUBMISSION OF REPORTS OF THE MEETINGS :-

- (1) A minute shall be kept by the Municipal Secretary or by his subordinate of the names of the members present and of the proceedings at each meeting of the Special Committee in a book to be provided for this purpose.

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- (2) At the commencement of proceedings of each meeting, the minutes of the previous meetings shall be taken as read unless a member or members present in the meeting requires it be read.

If the meeting is of the opinion that there is a clerical error in the minutes, it should be corrected by the presiding authority. After confirmation of the minute is made by the meeting, the minutes should be signed by the presiding authority at the same time.

- (3) The minute-book of the all Special Committees shall at all reasonable time be open at the Municipal Secretary's Office for inspection by any councillor free of charge and by any other person on payment of a fee of fifty paise only.

Provided that the minute-book of the legal Committee shall not be open to inspect by any person other than councillor.

Provided further that inspection of the minute-book as referred above shall be given only in respect of the preceding twelve calendar months.

- (4) if the Special Committee resolved that the resolution may be sent to any other authority for getting sanction or to inform the same, the Municipal Secretary or his subordinate will arrange for it being placed before the meeting of such other authority,

#### 11. RESIGNATION :-

- (1) Any member of the Special Committee may resign his membership at any time by notice in writing to the Mayor and if there is a casual vacancy in the office

of the Mayor to the Municipal Secretary and, on such notice being given, his office shall become vacant as from the date of the notice.

(2) The Deputy Chairman of the Special Committee may resign his office at anytime by notice in writing to the Chairman and if there is a casual vacancy in the office of the Chairman to the Municipal Secretary and on such notice being given, his office shall become vacant as from the date of the notice.

(3) The Chairman of the Special Committee may resign his office at any time by notice in writing to the Special Committee and on such notice being given to the Municipal Secretary for submitting it before the Special Committee, his office shall become vacant as from the date of the notice.

#### 12. COMMENCEMENT :-

This rules shall come into force from the date of publication in the Official Gazette.

#### 13. REPEAL :-

Any other provisions or rules framed under the B.P.M.C. Act, 1949, regulating the conduct of business of the meeting and the constitution of the Special Committees are hereby repealed.