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THE AZAD JAMMU AND KASHMIR BASIC DEMOCRACIES

(VOTE OF NO-CONFIDENCE AGAINST CHAIRMAN)
RULES, 1965

(Passed under Government Order No. 605-611/BD/65,
Dated 4th March, 1965).

In exercise of the powers conferred by section 86 of Basic

Democracies Act, 1960, read with sections 11 and 12 of the said Act, the
Azad Government of the State of Jammu and Kashmir is pleased to make
the following rules, namely :-

1.

Short title and commencement:- (1) These rules may be called
the Azad Jammu and Kashmir Basic Democracies (Vote of No-
Confidence against Chairman) Rules, 1965.

(2) They shall come into force at once.

Definitions:- In these rules, unless there is anything repugnant in
the subject or context:

(a) "Basic Democracy" means a Union Council, Union
Committee or a Town Committee constituted under the
Basic Democracies Act, 1960;

(b) "Chairman" means the Chairman of Union Council, Union
Committee or a Town Committee ;

(c) "Presiding Authority" means an officer appointed under rule

Requisition for convening a meeting for moving a vote of no-
confidence:- (1) Not less than one half of the elected members
of the Basic Democracy may by a written requisition signed by
them apply to controlling Authority to convene a special meeting
of the Basic Democracy to consider a no-confidence motion
against the Chairman and the Controlling Authority shall, within
fifteen days of such application convene a special meeting of the
Basic Democracy for the purpose.

(2) Seven clear days' notice shall be given for a meeting
convened under the provisions of this rule.

(3) The quorum for such a meeting shall be two-thirds of the

total number of members of the Basic Democracy.

4. Presiding Authority:- The Controlling Authority shall appoint an officer to preside at the meeting convened under rule 3.

5. Motion of No-Confidence:- (1) At the meeting convened under rule 3, any member who has signed the requisition referred in the said rule, may move a no-confidence motion against the Chairman.

(2) If the motion is seconded, it shall be open to consideration by the Basic Democracy, and any member may speak for or against the motion.

(3) No member shall speak on the motion more than once. The Presiding Authority may limit the period for which a member may speak on such a motion.

(4) The Chairman shall have the right to offer personal explanation, if any.

6. Procedure for voting:- (1) When in the opinion of the Presiding Authority, the motion of no-confidence has been sufficiently discussed, he shall call upon the members supporting the motion to stand up in their seats. The Presiding Authority shall count the number of such members and record their names, and if such members form a two-third majority of the total number of members of the Basic Democracy as required by section 11 or 12 of the Basic Democracies Act, 1960, as the case may be, the Presiding Authority shall declare that the motion has been passed. If the motion is not supported by the requisite majority it shall be deemed to have been dropped.

(2) A declaration made by the Presiding Authority under sub-rule (1) shall be final and shall not be questioned in any proceedings.

7. Vacant of Office:- A Chairman against whom a vote of no-confidence has been passed shall forthwith vacate his office.