

**THE PUNJAB MUNICIPAL CORPORATION ACT, 1976 (Punjab Act
42 of 1976)
Procedure**

55. Transaction of business by the Corporation meetings. –

(1) The Corporation shall ordinarily hold at least one meeting in every month for the transaction of business.

(2) The Mayor or in his absence the Senior Deputy Mayor. and in the absence of both, the Deputy Mayor may, whenever he thinks fit. and shall upon a requisition in writing by not less than one-fourth of the total number of councillors, convene a special meeting of the Corporation.

(3) Any meeting may be adjourned until the next or any subsequent date, and an adjourned meeting may be further adjourned in like manner,

56. First meeting of Corporation after general elections. –

The first meeting of the Corporation after a general election shall be held as early as possible after the publication of the results of the election of the councillors under section 17 and shall be convened by the Divisional Commissioner. 57. Notice of meetings and business. - A list of the business to be transacted at every meeting except' at an adjourned meeting shall be sent to the registered address of each councillor at least seventy-two hours before the time fixed for such meeting and no business shall be brought before or transacted at, any meeting other than the business of which a notice has been so given:

Provided that any councillor may send or deliver to the Corporation Secretary notice of any resolution going beyond the matters mentioned in the notice given of such meeting so as to reach him at least forty-eight hours before the date fixed for the meeting and the Corporation Secretary shall with all possible despatch take steps to circulate such resolution to every councillor in such manner as he may think fit.

Explanation, - In this section 'registered address' means the address for the time being entered in the register of addresses of councillors maintained in this behalf by the Corporation Secretary.

58. Quorum. - (1) The quorum necessary for the transaction of business at a meeting of the Corporation shall be one-third of the total number of members.

(2) If at any time during a meeting of the Corporation there is no quorum it shall be the duty of the Mayor or the person presiding over such meeting either to adjourn the meeting or to suspend the meeting until there is a quorum.

(3) Where a meeting has been adjourned under sub-section (2), the business which would have been brought before the original meeting if there had been a quorum present thereat, shall be brought before, and may be transacted at an adjourned meeting, whether there is quorum present or not.

59. Presiding Officer. –

(1) The Mayor or in his absence, the Senior Deputy Mayor, and in the absence of the both, the Deputy Mayor shall preside at every meeting of the Corporation.

(2) In the absence of the Mayor and both the Deputy Mayors from the meeting, the members present shall elect one from among their own number to preside.

(3) The Mayor or the person presiding over a meeting shall have and exercise a second or a casting vote in all cases of equality of votes.

60. Meeting for election of Mayor. –

Notwithstanding anything contained in section 59 - (a) meeting for the election of a Mayor shall be convened by the Divisional Commissioner who shall also nominate a council who is not a candidate for such election to preside over the meeting;

(b) if during the election of Mayor it appears that there is any equality of votes between any candidates at such election and that the addition of a vote would entitle any of those candidates to be elected as Mayor, then the person presiding over the meeting shall decide between them by lot to be drawn in the presence of the candidates and in such manner as he may determine, and the candidate on whom the lot falls shall be deemed to have received an additional vote.

61. Method of deciding question. –

(1) Save as otherwise provided in this Act all matters required to be decided by the Corporation shall be decided by the majority of the votes of the members present and voting,

(2) The voting shall be by show of hands, but the Corporation may, subject to such regulations as may be made by it, resolve that any question or class of questions shall be decided by ballot.

(3) At any meeting, unless voting be demanded by at least four members, a declaration by the presiding officer at such meeting that a resolution has been carried or lost, and an entry to that effect in the minutes of the proceedings shall, for the purposes of this Act be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.

(4) If voting as aforesaid is demanded, the votes of all of the members present who desire to vote shall be taken under the direction of the Presiding Officer at the meeting and the result of the voting shall be deemed to be resolution of the Corporation at such meeting.

62. Maintenance of order at and admission of public to meetings, withdrawal and suspension of councillors. –

(1) The Mayor or the person presiding over a meeting shall preserve order thereat and shall have all powers necessary for the purpose of preserving such order.

(2) The Mayor or the person presiding over a meeting may direct any councillor whose conduct is in his opinion grossly disorderly to withdraw immediately from the meeting, and any councillor so directed to withdraw shall do so forthwith and shall absent himself during the remainder of the meeting.

(3) If any councillor is ordered to withdraw a second time within fifteen days, the Mayor or the person presiding may suspend such councillor from attending the meetings of the Corporation for any period not exceeding fifteen days and the councillor so suspended shall absent himself accordingly; Provided that the Mayor may at any time terminate such suspension: Provided further that such suspension shall not debar the suspended councillor from serving on any committee of the Corporation of which he is a member.

(4) Subject to sub-section (5) every meeting shall be open to the public, unless a majority of the members present at the meeting decide that any inquiry or deliberation pending before the Corporation shall be held in private.

(5) The Corporation may make regulations for the purpose of admission of the members of the public to its meetings and for the removal by force, if necessary, of any member of the public admitted to a meeting for interrupting or disturbing the proceedings of the meeting.

(6) In the case of grave disorder arising in a meeting the Mayor or the person presiding may, if he thinks it necessary to do so, adjourn the meeting to a date specified by him.

63- Councillor not to vote on matter in which he is interested. –

No councillor shall vote at a meeting of the Corporation or of any committee thereof on any question relating to his own conduct or vote or take part in any discussion on any matter (other than a matter affecting generally the residents of the City or of any particular ward), which affects his pecuniary interest or any property in respect of which he is directly or indirectly interested, or any property of or for which he is a manager or agent.

64. Right to attend meetings of Corporation and its committees, etc. and right of councillors to ask questions in relation to the municipal Government of City. –

(1) The Commissioner or any Corporation officer authorised by him in this behalf may attend, speak in, or otherwise take part in the proceedings of any meeting of the Corporation or any of its committees, but he shall not be entitled to vote in any such meeting.

(2) A councillor may, subject to the provisions of sub-section (3), ask the Commissioner, during first half of an hour of every meeting, question on any matter relating to the municipal government of the City or the administration of this Act.

(3) The right to ask a question shall be governed by the following conditions, namely :-

(a) not less than seven clear days' notice in writing specifying the question shall be given to the Corporation Secretary:

(b) no question shall -

(i) bring in any name or statement not strictly necessary to make the question intelligible,

(ii) contain arguments, ironical expressions, imputations, epithets or defamatory statements.

(iii) ask for an expression of opinion or the solution of a hypothetical proposition,

(iv) ask as to the character or conduct of any person except in his official or public capacity,

(v) relate to a matter which is not primarily the concern of the Corporation or any of the municipal authorities,

(vi) make or imply a charge of a personal character,

(vii) raise question of policy too large to be dealt with within the limits of an answer to a question.

(viii) repeat in substance questions already answered or to which an answer has been refused,

(ix) ask for information on trivial matters,

(x) ordinarily ask for information on matters of past history,

(xi) ask for information set forth in accessible documents or in ordinary works of reference,

(xii) raise matters under the control of bodies or persons not primarily responsible to the Corporation, or,

(xiii) ask for any information on a matter which is under adjudication by a Court of Law.

(4) The Mayor shall disallow any question which is, in his opinion, in contravention of the provisions of sub-section (3).

(5) If any doubt arises whether any question is or is not in contravention of the provisions of sub-section (3), the Mayor shall decide the point and his decision shall be final.

(6) The Commissioner shall not be bound to answer a question if it asks for information which has been communicated to him in confidence or if in the opinion of the Mayor it cannot be answered without prejudice to public interest or the interest of the Corporation.

(7) Unless otherwise directed by the Mayor or the presiding officer of the meeting every question shall be answered by the Commissioner at a meeting of the Corporation.

65. Power to make regulations –

The Corporation may make regulations for the transaction of business at its meetings and at the meetings of its ad hoc committees and the manner in which notice of such meetings shall be given:

Provided that the time, place and procedure for the first meeting after the constitution of the Corporation under section 4 shall be determined by the Divisional Commissioner.

66. Presiding officer at meetings of ad hoc committees. –

(1) The Chairman or in his absence the Deputy Chairman shall preside at every meeting of the ad hoc committee.

(2) In the absence of the Chairman and the Deputy Chairman from any meeting the members of any such committee shall choose one of their number to preside over the meeting.

67. Keeping of minutes and proceedings. –

Minutes in which shall be recorded the names of the members present at, and the proceedings of each meeting of the Corporation and of committees shall be drawn up and recorded in a book to be kept for the purpose and shall be laid before the next ensuing meeting of the Corporation or of the committee, as the case may be and signed at such meeting by the presiding officer thereof.

68. Circulation of minutes and inspection of minutes and reports of proceedings –

(1) Minutes of the proceedings of each meeting of the Corporation shall be circulated to the members of the Corporation and shall at the reasonable times be available at the Corporation office for inspection by any other person on payment of a fee prescribed by regulations.

(2) Full reports, if any, of such proceedings shall similarly be available for inspection by any member of the Corporation without charge and by any other person, on payment of a fee prescribed by regulations.

69. Forwarding minutes and reports of proceedings to Divisional Commissioner. -

(1) The Corporation Secretary shall forward to the Divisional Commissioner as well as to the Government a copy of the minutes of the proceedings of each meeting of the Corporation within three days from the date of the meeting.

(2) The Divisional Commissioner or the Government may also in any case ask for a copy of any paper or all the papers which were laid before the Corporation or any Committee thereof and the Corporation Secretary shall forward to the Divisional Commissioner or Government, as the case may be, a copy of such paper or papers.

70. Validation of proceedings, etc. –

(1) The Corporation shall have power to act notwithstanding any vacancy in the membership thereof and no act done or the proceedings taken under this Act shall be questioned on the ground merely of -

- (a) the seat of any councillor remaining unfilled from any cause whatsoever;
- (b) the existence of any vacancy in, or any defect in the constitution of the Corporation, or in any committee thereof;
- (c) any councillor having voted or taken part in any proceedings in contravention of section 63;
- (d) any defect or irregularity not affecting the merits of the case.

(2) Every meeting of the Corporation or of any committee thereof, the minutes of proceedings of which have been duly drawn up and signed shall be deemed to have been duly convened and to be free from all defects and irregularities..