

GOVERNMENT OF PUNJAB

DEPARTMENT OF RURAL DEVELOPMENT AND PANCHAYATS

Notification

The 10th October, 1994

No. G.S.R.65/P.A. 9/94/Ss./12, 106 and 227/94.— With reference to Government of Punjab, Department of Rural Development and Panchayat's Notification No. G.S.R. 61 P.A. 9/94/Ss 12, 106 and 227/94, dated the 23rd September, 1994 and in exercise of the powers conferred by section 227 read with sections 12 and 106 of the Punjab Panchayati Raj Act, 1994 (Punjab Act No. 9 of 1994), and all other powers enabling him in this behalf, the Governor Punjab is pleased to make the following rules, namely :—

RULES

1. (1) These rules may be called the Punjab Reservation for the Offices of Sarpanches of Gram Panchayats and Chairmen and Vice-Chairmen of Panchayat Samitis and Zila Parishads Rules, 1994.

(2) They shall come into force on the date of publication in the Official Gazette.

(3) They shall apply to the Gram Panchayats, Panchayat Samitis and Zila Parishads constituted under the Act.

2. In these rules, unless the context otherwise requires—

(a) 'Act' means the Punjab Panchayati Raj Act, 1994;

(b) 'Government' means the Government of Punjab in the Department of Rural Development and Panchayats;

(c) 'Section' means a section of the Act.

3. (1) The Deputy Commissioner shall, by notification in the Official Gazette, reserve the offices of the Sarpanches of Gram Panchayats for the persons belonging to Scheduled Castes (including one-third women belonging to the Scheduled Castes) in the same proportion as the population of the Scheduled Castes in the district bears to the total population of the district. The offices of Sarpanches of Gram Panchayats shall be reserved as per the roster prepared by the Deputy Commissioner.

(2) One-third offices of the Sarpanches (including those reserved for women belonging to Scheduled Castes) shall be reserved for the women. The reservation shall be operated as per the roster prepared by the Deputy Commissioner.

Definitions.

Reservation
Seats for t
Offices
Sarpanches.

Sections 12
and 107.

Reservation of
offices of
Chairmen and
Vice-Chairmen,
of Panchayat
Samitis and
Zila Parishads
Sections 106
and 169.

4. The State Government shall, by notification in the Official Gazette reserve the offices of Chairmen and Vice-Chairmen of the Zila Parishads and Panchayat Samitis for the persons belonging to Scheduled Castes in the district in the same proportion as the population of the Scheduled Castes in the district bears to the total population of the district and such offices of the Zila Parishads bearing as nearly as may be the same proportion to the total number of offices in the State as the population of the Scheduled Castes in the State bears to the total population of the State as per last Census in the manner hereinafter specified. Reservation for these offices shall be made by rotation :—

(i) Not less than one-third of the total number of offices reserved for Scheduled Castes will be reserved for women belonging to the Scheduled Castes.

(ii) The remaining offices reserved for Scheduled Castes will be available to the Scheduled Castes irrespective of the sex.

Reservation
for women.

Sections
106 and
109.

5. The State Government shall by notification, in the Official Gazette, reserve the offices of the Chairmen and Vice-Chairmen of the Zila Parishads and Panchayat Samitis for the women on rotation basis. Not less than one third of the total number of such offices including those reserved for women belonging to Scheduled Castes as per rule 4 shall be reserved for the women.

Rotation.

Sections
12, 107
and 170.

6. The reservation for the offices of Chairmen and Vice-Chairmen of the Zila Parishads and Panchayat Samitis will be made as per the roster attached at Annexures I and II of these rules respectively. The reservation shall be made from serial No. 1 of each Annexure. The reservation shall be first made for the Scheduled Castes and the reservation for women belonging to Scheduled Castes shall follow as per the provisions of these rules. After the reservation for Scheduled Castes and Women belonging to Scheduled Castes has been completed, the reservation will be made for the women from the next point keeping in view the number of seats to be reserved for women as per these rules. The reservation shall continue in the above mentioned order in future. At the time of a particular election, the remaining seats, after the reservation has been completed, will be kept open for general category. The reservation for the successive election will start from the point which lies immediately below the last point reserved for the women and will be the point to be reserved for the Scheduled Castes. Rotation will then continue as provided above.

Bar on
reservation.

7. If as a result of the rotation as per rule 6 a particular office remains reserved during two consecutive elections, the same will as far as possible, be kept for general category candidate for the third election by shifting the point to the next lower point which as a result of the rotation, is likely to be kept for general category candidate. In such a situation, such a lower point will be deemed to have been reserved in place of the point so dereserved,

8. In calculating the reservation for a particular category the fraction of one-half or below shall be ignored but fraction exceeding one-half shall be treated as one.

Principle for calculation of reservation

9. When ever a new Gram Panchayat, Panchayat Samiti or Zila Parishad is constituted after the commencement of these rules, the new Gram Panchayat, Panchayat Samiti or Zila Parishad, as the case may be, shall be added in the relevant roster at the end.

Newly constituted Gram Panchayats, Panchayat Samitis and Zila Parishads.

10. If any question arises regarding interpretation of these rules otherwise than in connection with an election petition which has actually been presented, it shall be decided by the Government, whose decision shall be final.

Interpretation.

11. The Punjab Panchayat Samitis and Zila Parishads Chairmen and Vice-Chairmen (Election) Rules, 1961, are hereby repealed:

Repeal and Saving.

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.