

Delimitation of Wards and Allocation of Reserved Seats in Municipal Borough Rules, 1994

CONTENTS

1. RULE
2. RULE
3. rule
4. rule
5. rule
6. rule
7. rule
8. rule

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Whereas, the draft rules of the Delimitation of Wards and Allocation of Reserved Seats (Municipal Borough) were published as required by sub- section (3) of section 227 of the Gujarat Municipalities Act, 1963 (Guj 34 of 1964) at Page 144 1 to 144 2 of the Gujarat Government Gazette Extra. ordinary Part 1-A Central Section dated the 18th December, 1993 under Government Notification Urban Development and Urban Housing Department No. KV-334-199VNP 4593-3655 M. dated the 18th December 1993 inviting objections and suggestions from all persons likely to be affected thereby till 16th January, 1994. And, Whereas, the objections and suggestions received by the Government on the said draft have been considered by the Government. Now; Therefore, in exercise of the powers conferred by clause (b) of sub-section (2) of section 227 read with sections 6 and 7 of the Gujarat Municipalities Act, 1963 (Guj 34 of 1964) the Government of Gujarat hereby makes the following rules namely;

1. RULE :-

These rules may be called the Delimitation of Wards and Allocation of Reserved Seats in Municipal Borough Rules, 1994,

2. RULE :-

The Wards shall be constituted in such a manner that the population in all the wards is as far as practicable equal in

particular, the population of a ward shall not vary by more than ten percent from the average ward population of the Municipal Borough :

Provided that if the State Election Commission is satisfied that in order to maintain homogeneity or geographic contiguity it is necessary to constitute a ward consisting of population marginally higher or lower as the case may be than the above limit, it may do so

Explanation. Average ward population of a municipal borough means the number arrived at by dividing the total population of the municipal borough by the number of wards determined under section 7 of the Gujarat Municipalities Act, 1963 (Guj. 34 of 1964), (hereinafter referred to as "the said Act").

3. rule :-

Besides maintaining geographical contiguity boundaries such as rivers railway lines roads shall be adhered to, as far as possible, while delimiting the wards.

4. rule :-

All wards shall be multi-member wards with three councillors to be elected from each ward.

5. rule :-

In each and every ward one seat shall be reserved for women (including seats to be reserved for women belonging to Schedule Castes, Scheduled Tribes and Backward Classes) and one seat shall remain unreserved. The remaining third seat may be reserved depending upon the requirement of reservation as notified by the State Government under section 7 of the said Act.

6. rule :-

Subject to the provisions of rules 5 and 7

(a) The State Election Commission may first allocate the seats reserved for Scheduled Castes and Scheduled Tribes to those wards with the highest percentage of population of Scheduled Castes or Scheduled Tribes as the case may be in the descending order. Among the seats so allocated for Scheduled Castes and Scheduled Tribes the State Election Commission may further specify the ward to which the seats reserved for women belonging to Scheduled Castes or Scheduled Tribes as the case may be have been allocated;

(b) thereafter the State Election Commission may allocate the seats reserved for Backward Classes among the wards according to any formula that may be evolved it Among the seats so allocated for Backward Classes the State Election Commission may further specify the wards to which the seats reserved for women belonging to the Backward Classes have been allocated.

(c) after the seats are allocated as provided in clauses (a) and (b) above the State Election Commission shall allocate the seats reserved for women other than those belonging to Scheduled Castes, Scheduled Tribes and Backward Classes among the wards.

7. rule :-

The seats reserved for Scheduled Castes, Scheduled Tribes Backward Classes and Women may be rotated among the wards from one general election to another.

8. rule :-

The State Election Commission shall before finalising the proposed delimitation of wards and allocation of seats reserved for Scheduled Castes Scheduled Tribes, Backward Classes and Women among those wards invite suggestions thereon from the general public and also consult the political parties recognised for the purposes of Representation of People Act, 1951 (43 of 1951).