
**Gujarat Panchayats Election of President of Taluka
Panchayat (Manner of Allotment of Reserved Offices of
President by Rotation) Rules, 1994**

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**Gujarat Panchayats Election of President of Taluka
Panchayat (Manner of Allotment of Reserved Offices of
President by Rotation) Rules, 1994**

WHEREAS certain drafts rules framing the Gujarat Panchayats Election of President of Taluka Panchayat (Manner of allotment of reserved office of President by rotation) Rules, 1994 were published as required by sub-section (5) of section 274 read with sub-section (3) of section 63 of the Gujarat Panchayats Act, 1993 (Guj. 18 of 1993) at page 204-1 and 204-3 of Gujarat Government Gazette, Part I-A dated the 18th May, 1994 under the Government Notification, Panchayats and Rural Housing Department No. KP/146 of 1994/ELC/1094/50/G, dated the 18th May, 1994 inviting objections and suggestions from all persons likely to be affected thereby till the 17th June, 1994; AND WHEREAS no objections and suggestions were received with respect to the said draft rules by the Government; NOW, THEREFORE, in exercise of the powers conferred by sub-section (5) of section 274 read with sub-section (3) of section 63, of the Gujarat Panchayats Act, 1993 (Guj. 18 of

1993) the Government of Gujarat hereby makes the following rules, namely:

1. Short title :-

These rules may be called the Gujarat Panchayats Election of President of Taluka Panchayat (Manner of Allotment of Reserved Offices of President by Rotation) Rules, 1994.

2. Definition :-

In these rules, unless the context otherwise requires The "Act" means the Gujarat Panchayats Act, 1993.

3. Assignment of serial number of taluka panchayats of a district :-

(1) Each taluka panchayat in a district shall be assigned by the State Government a name based on the name of the taluka for which the taluka panchayat is constituted.

(2)

(a) The names of taluka panchayats of a taluka shall be arranged by the State Government in an English alphabetical order: Provided that where there is more than one taluka panchayat having the name with the same letter of English alphabet, the taluka panchayat shall be distinguished by reference to the succeeding letters of the alphabet in the name of such taluka panchayat.

(b) Thereafter the taluka panchayats as so arranged in the English alphabetical order shall be assigned serial numbers in that alphabetical order.

(3) The serial numbers assigned to the taluka panchayats of a district under this rule shall be known as general serial numbers.

4. Manner of Reservation of offices of President of taluka panchayat :-

(1) The reservation of the offices of President of Taluka Panchayats in the district for the Scheduled Castes and the Scheduled Tribes under clause (a) of sub-section (2) of section 63 of the Act shall be made in the manner specified hereafter.

(2) The offices of President of taluka Panchayats in a district shall be reserved by the State Government for the Scheduled Castes and the Scheduled Tribes and the number of the officer of the President of Taluka Panchayats in a district as so reserved shall bear as

nearly as may be, the same proportion to the total number of offices of President of taluka panchayats in a district as the population of the Scheduled Castes in the district of the Scheduled Tribes in the district bears to the total population of the district.

5. Allotment of offices of President reserved for Scheduled Castes :-

(1) For the purposes of allotment of the number of offices of President of taluka panchayats of a district determined by the State Government as reserved for the Scheduled Castes under rule 4, the State Government shall determine the talukas of a district which consist of population of the Scheduled Castes and such talukas of a district shall be serially arranged in accordance with the percentage of population of the Scheduled Castes in each taluka beginning with the taluka to consisting the highest percentage of the population of the Scheduled Castes and shall be assigned serial numbers as SC 1, SC 2 and so on.

(2) The serial numbers as so assigned shall be known as special serial numbers for the Scheduled Castes.

(3) The State Government shall first allot the number of offices of president of taluka panchayats in a district reserved for the Scheduled Castes (including one third of such offices reserved for women belonging to the Scheduled Castes); serially to the talukas bearing special serial numbers for Scheduled Castes by rotation, so however that preference shall be given to allotment of offices of President reserved for the women.

6. Allotment of offices of President reserved for Scheduled Tribes :-

(1) For the purpose of allotment of the number of offices of President of taluka panchayats of a district determined by the State Government reserved for the Scheduled Tribes under the rule 4, the State Government shall determine the talukas of a district which consist of population of the Scheduled Tribes, and such talukas of a district shall be serially arranged in accordance with the percentage of population of the Scheduled Tribes in each taluka beginning with the taluka consisting of the highest percentage of the population of the Scheduled Tribes and shall be assigned serial numbers as ST 1, ST 2 and so on.

(2) The serial numbers as so assigned shall be known as special

serial numbers for the Scheduled Tribes.

(3) The State Government shall after having allotted the offices of President of taluka panchayat in a district reserved for the Scheduled Castes under sub-rule (3) of rule 5, allot the number of offices of President of taluka panchayats in a district reserved for the Scheduled Tribes (including one third of such offices reserved for women belonging to the Scheduled Tribes) serially to the talukas bearing special serial numbers for the Scheduled Tribes by rotation so, however that preference shall be given to allotment of offices of President reserved for the women.

7. Allotment of offices of President reserved for socially and educationally backward classes :-

The State Government shall after having allotted the offices of President of taluka panchayat in a district reserved for the Scheduled Castes and the Scheduled Tribes under rules 5 and 6 all to the number of office of President of taluka panchayats in a district determined by the State Government under clause (a) of sub-section (2) of section 63 of the Act as reserved for the socially and educationally backward classes (including one third of such reserved for women belonging to the socially and educationally backward classes) serially to the talukas bearing general serial numbers to which offices of President reserved for the Scheduled Castes and the Scheduled Tribes are not allotted under rule 5 or 6 so however that preference shall be given to allotment of offices of President reserved for the women.

8. Allotment of offices of President to others :-

The State Government shall, after having allotted offices of President of taluka panchayats in a district reserved for the Scheduled Castes, Scheduled Tribes and Socially and Educationally backward classes under rules 5,6 and 7 allot the remaining offices of taluka panchayats in a district (including those reserved for women) serially to talukas bearing general serial numbers, to which offices of President reserved for the Scheduled Castes, the Scheduled Tribes and the Socially and Educationally backward classes are not allotted under the rule 5, 6 or 7 so however that preference shall be given to allotment of offices of President reserved for women other than the women belonging to the Scheduled Castes, Scheduled Tribes and Socially and Educationally backward classes.

9. Computation of reserved offices of President for women

:-

(1) The number of offices of President of taluka panchayats in a district to be reserved for women belonging to the Scheduled Castes, the Scheduled Tribes or, as the case may be, the socially and educationally backward classes shall be derived by dividing the number of offices of President to be reserved for the Scheduled Castes, the Scheduled Tribes or, as the case may be, the socially and educationally backward classes by three.

(2) The remaining number of offices of President to be reserved for women shall be determined by first deriving the number of dividing the total number of offices of President of taluka panchayats in a district by three and the number so derived shall be reduced by the aggregate of the number of offices of President to be reserved for women belonging to the Scheduled Castes, the Scheduled Tribes and the socially and educationally backward classes, under sub-rule (1).

10. List of talukas bearing special serial numbers and general serial numbers how operated :-

In every immediately succeeding election

(a) the lists of taluka bearing special serial numbers for the Scheduled Castes, or as the case may be, the Scheduled Tribes shall

(i) Continue to be operated serially from the special serial number following the special serial number where the allotment of offices of president reserved for the Scheduled Castes or, as the case may be, the Scheduled Tribes had ended;

(ii) be operated till it is exhausted, and

(iii) be reoperated from the beginning after it is exhausted.

(b) The list of talukas bearing general serial numbers in so far as allotment of offices of President reserved for the socially and educationally backward classes and women is concerned, shall

(i) continue to be operated serially from the general serial number following the general number where the allotment of offices of President reserved for the socially and educationally backward classes, or, as the case may be, women, had ended;

(ii) be operated till it is exhausted; and

(iii) be reoperated from the beginning after it is exhausted.

11. Assignment of numbers of reconstituted taluka panchayats :-

(1)

(a) Where by reason of amalgamation of talukas a new taluka is constituted or by reason of splitting up of a taluka, two or more new talukas, are constituted, the taluka panchayats of such newly constituted talukas shall be assigned general serial numbers under rule 3 and where necessary special serial numbers under any of the rules 5 and 6 and the general serial numbers as so assigned shall be adjusted in the list of general serial numbers and the special serial numbers as so assigned shall be adjusted in the list of special serial numbers for the Scheduled Castes or, as the case may be, Scheduled Tribes.

(b) Where the population of a newly constituted talukas referred to in sub-rule (1) is more than fifty percent of the population of the original taluka, and the taluka panchayat of the original taluka has already been covered by rotation before the constitution of new talukas, then the taluka panchayat of such newly constituted taluka shall not be reconsidered for allotment by rotation till the list of general serial numbers or, as the case may be, special serial numbers is exhausted

(2)

(a) Where the name of a taluka is changed, the general serial number assigned to it shall be changed under rule 3 and the list of general serial numbers shall be amended accordingly.

(b) Where the taluka panchayat with the original name has already been covered by rotation then the renamed talukas panchayat shall not be reconsidered for allotment by rotation till the list is exhausted.

12. Computation of offices of President to be reserved under these rules :-

While deriving the number of offices of President to be reserved under these rules, a fraction which is one half or greater than one half in value shall be counted as one and a fraction less than one half in value shall be ignored.

13. Interpretation in case of doubt :-

If any question arises as to interpretation of these rules, the question shall be referred to the State Government for its decision and its decision thereon shall be final.