

Andhra Pradesh Panchayat Raj (Reservation of Seats and Offices of Gram Panchayats, Mandal Parishads and Zilla Parishads) Rules, 2006

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-PANCHAYAT-RAJ-RESERVATION-OF-SEATS-AND OFFICES OF 2006

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Andhra Pradesh Panchayat Raj (Reservation of Seats and Offices of Gram Panchayats, Mandal Parishads and Zilla Parishads) Rules, 2006Published vide Notification No. G.O. Ms. No.220, Panchayat Raj and Rural Development (Elec. & Rules) Dept., dated 25.05.2006Last Updated 12th September, 2019No. G.O. Ms. No.220. - In exercise of the powers conferred by sub-section (1) of Section 268 read with the Sections 9, 15, 152, 153, 180, 181and242D of the Andhra Pradesh Panchayat Raj Act, 1994 (Act No. 13 of 1994), and in supersession of the Andhra Pradesh Panchayat Raj (Reservation of Seats and Offices of Gram Panchayats, Mandal Parishads and Zilla Parishads) Rules, 2001 issued vide G.O.Ms.No. 140, P.R. & R.D. Department, dated 20th April, 2001, the Governor of Andhra Pradesh, hereby makes the following, rules relating to reservation of seats and Offices of Gram Panchayats, Mandal Parishads and Zilla Parishads for the members belonging to Scheduled Tribes, Scheduled Castes, Backward Classes and Women.

1.

These rules may be called the Andhra Pradesh Panchayat Raj (Reservation of Seats and Offices of Gram Panchayats, Mandal Parishads and Zilla Parishads) Rules, 2006.

2.

In these rules, unless the context otherwise requires:-(i)'Act' means the Andhra Pradesh Panchayat Raj Act, 1994 (Act No. 13 of 1994);(ii)'Commissioner' means the Commissioner of Panchayat Raj and includes the Collector of a District;(iii)'Words' and 'Expressions' used, but not defined in these rules shall have the same meanings assigned to them in the Act.

3.

In every district, the reservation of offices and the seats shall be made in accordance with the following rules before every ordinary elections and notified in the District Gazette concerned in respect of Gram Panchayats and in the Andhra Pradesh Gazette and in the District Gazette concerned in respect of Mandal Parishads and Zilla Parishads.

Part I – Gram Panchayat Members of Gram Panchayat

4.

(1)The Revenue Divisional Officer shall in respect of each Gram Panchayat in his jurisdiction determine in the first instance, the number of wards to be reserved, in the Gram Panchayat concerned, for the members belonging to Scheduled Tribes and the Scheduled Castes subject to the condition that the number of wards to be reserved shall bear, as nearly as may be, the same proportion to the total number of wards to be filled by direct election to the Gram Panchayat as the population of Scheduled Tribes or as the case may be, of the Scheduled Castes in that Gram Panchayat bears to the total population of that Gram Panchayat, subject to the condition that the RDO shall, in the scheduled areas, allocate not less than one half of the total number of seats in each Gram Panchayat for being reserved for Scheduled Tribes.(2)For the purpose of reserving wards for the Backward Classes in respect of the Gram Panchayat, the Revenue Divisional Officer shall determine the number of wards to be reserved for the Backward Classes in each Gram Panchayat on the basis of the proportionate percentage of Backward Classes in each Gram Panchayat on the basis of the proportionate percentage of Backward Classes of that Mandal arrived at in the following manner.Note. - In order to arrive at the proportionate percentage of Backward Classes of the Gram Panchayat, the following formula shall be adopted:

Mandal Proportionate Percentage of Backward Class = | Reservation for BCs in the State (34%)State percentage of BCs. (39.39%)| x Mandal BCs percentage

= 0.863% percentage of Backward Classes in Mandal Parishad.Explanation. - (i) Percentage of Backward Class reservation is 34% as provided in the Act;(ii)State percentage of Backward Classes is 39.39% as projected by the Directorate of Economics and Statistics as on 1-3-2001, from the data of Socio-Economic Survey conducted by Andhra Pradesh Backward Classes Finance Corporation Limited;(iii)Mandal Backward Class percentage is the figure as projected by the Directorate of Economics and Statistics as on 1-3-2001, from the data of Socio-Economic Survey referred to above.(3)(a)Where the reservation for Scheduled Tribes, Scheduled Castes and Backward Classes

reaches or exceeds 100%, in such case, the reservation for Backward Classes shall be calculated by arriving at a percentage to the remaining offices after so reserving for Scheduled Tribes and Scheduled Castes.(b)Notwithstanding anything contained in Clause (a), the Revenue Divisional Officer shall for the purpose of reservations of Wards for B.Cs. in Gram Panchayat located in Scheduled Areas, determine in the first instance number of wards remaining after reserving seats for STs. and SCs. in each such Gram Panchayat and arrive at the number of wards to be reserved for BCs. Computed only on the basis of such remaining wards applying the proportionate percentage of population of backward classes in the Mandal Parishad.(4)The Revenue Divisional Officer shall reserve one-third of the number of wards reserved for Scheduled Tribes, Scheduled Castes and Backward Classes and one-third of the unreserved wards for women, in each Gram Panchayat.

5.

(1)The Revenue Divisional Officer shall then communicate the number of wards of Gram Panchayats to be reserved in each Gram Panchayat for the members of Scheduled Tribes, Scheduled Castes, Backward Classes and Women to Mandal Parishad Development Officer concerned.(2 The Mandal Parishad Development Officer shall, in turn, on receipt of communication under sub-rule (1) shall reserve in respect of wards allotted under Rule 4 (1) to the Scheduled Tribes in the Gram Panchayat in the first instance in such wards where the proportion of voters belonging to Scheduled Tribes to the total number of voters in the ward concerned is the highest in the descending order.(3)After excluding the wards reserved for Scheduled Tribes in the respective Gram Panchayat, the Mandal Parishad Development Officer shall reserve the wards from among the other wards, for Scheduled Castes allotted under Rule 4(1) above, in the wards where the proportion of voters belonging to Scheduled Castes to the total number of voters in the ward concerned is the highest in the descending order.(4)The reservation of wards for Backward Classes in the Gram Panchayat allotted under Rule 4 (2) shall be made by the Mandal Parishad Development Officer from among the wards remaining after reserving wards for Scheduled Tribes and Scheduled Castes in each Gram Panchayat where the proportion of voters belonging to the backward class to the total voters in the ward concerned is the highest in the descending order.Provided that no reservation for Backward Class shall be made in such of those Gram Panchayats where there are no Backward Class voters. Provided further that where there are no BC Voters in a Gram Panchayat in a Mandal or where the proportion of BC voters is lower than their proportion in the Mandal, the reservation of Ward Members for BCs proportionate to the shortage noted shall be shifted to such of those Gram Panchayats within the concerned Mandal in proportion to the BC voters in Gram Panchayats arranged in a descending order, subject to the condition that the total number of ward members to be allotted to BCs in the Mandal shall remain the same thus ensuring that the number of wards reserved for BCs in a Mandal is equal to Mandal proportion as calculated at subrule (2) of Rule 4.(5)The reservation of wards for women in the Gram Panchayats allotted under Rule 4(4) shall be made by the Mandal Parishad Development Officer in each category i.e., ST, SC, BC and Unreserved, on the basis of the highest proportion of the women voters to the total number of voters in the ward is the highest in the descending order.

6.

The reservation of wards for Scheduled Tribes, Scheduled Castes, Backward Classes and Women under sub-rules (2) to (5) of Rule 5 shall be by rotation as far as practicable, commencing from the first ordinary election held under the Act. The wards allotted to STs., SCs., BCs. and Women during the earlier ordinary elections shall not be allotted to the same categories till a cycle of reservation in that category is completed. Provided that where the reservation in respect of any category in the third ordinary elections requires the reservation of any seat/office to the same category, which was earlier reserved due to completion of cycle, then such reservation shall be made in respect of a seat/office reserved to the same category only in the first ordinary elections. Explanation. - For the removal of doubts, it is hereby declared that:-(i) For purposes of reserving wards under these rules any fraction less than one-half shall be ignored and any fraction equal to or more than one-half shall be counted as one. (ii) The expression "Revenue Divisional Officer" under these rules shall include the Sub-Collector or Assistant Collector in charge of a Revenue Division. (iii) In case where the reservation for STs or SCs can not be made due to non availability of their voters in required number of wards, then the reservation shall be made in descending order in such of those wards where the voters of STs/SCs are available in the first instance, and thereafter, the remaining reservation of Wards shall be made by drawl of lots. Example. - If there are eight Wards in a Gram Panchayat of which six are to be reserved for Scheduled Tribes, Whereas, Scheduled Tribes voters are available only in three Wards then the reservation for the remaining three Wards shall be made by drawl of lots from among the other five wards by the Mandal Parishad Development Officer concerned. Reservation of Offices of the Sarpanchas of Gram Panchayats

7.

(1) The Revenue Divisional Officer shall determine in the first instance the number of offices of Sarpanchas to be reserved in each Mandal Parishad for the Scheduled Tribes and Scheduled Castes subject to the condition that the number of offices so reserved shall bear as nearly as may be, the same proportion as the population of the Scheduled Tribes or as the case may be, Scheduled castes in the Mandal Parishad bears to the total population of the Mandal Parishad concerned. Provided that all the Offices of Sarpanchas of Gram Panchayats located in Scheduled Areas shall be reserved for Scheduled Tribes. (2) For the purpose of determining number of offices of Sarpanchas to be reserved for the Backward Classes, the Revenue Divisional Officer shall arrive at this number on the basis of the Mandal proportionate percentage of Backward Classes arrived at in the manner specified below:

Mandal Proportionate Percentage of Backward Class = | Reservation for BCs in the State (34%) State percentage of BCs. (39.39%) | x Mandal BCs percentage
 = 0.863 X Mandal Backward Class Percentage
 Explanation I. - (i) Percentage of Backward Classes reservation is 34% as provided in the Act. (ii) State percentage of Backward Classes is 39.39% as projected by the Directorate of Economics and Statistics as on 1-3-2001 from the date of the Socio-Economic Survey conducted by the Andhra Pradesh Backward Classes Finance Corporation Limited. (iii) Mandal Backward Classes percentage is the figure as projected by the Directorate of Economics and Statistics as on 1-3-2001 from the data of Socio-Economic Survey referred to

above. Explanation II. - For the purpose of reservations to the offices of Sarpanchas, the Mandal Parishad concerned shall be taken as a unit. (3) Where the reservation for Scheduled Tribes, Scheduled Castes and Backward Classes reaches or exceeds 100%, in such case the reservation for Backward Classes shall be calculated by arriving at a percentage to the remaining offices of Sarpanchas after as so reserving for Scheduled Tribes and Scheduled Castes. (4) The Revenue Divisional Officer shall reserve one third of number of offices of Sarpanchayats reserved for Scheduled Tribes, Scheduled Castes, Backward Classes and one third of the unreserved offices of Sarpanchas for women in each Mandal Parishad.

8.

(1) The Revenue Divisional Officer on determining the number of offices of Sarpanchas to be reserved in each Mandal Parishad for the members belonging to Scheduled Tribes, Scheduled Castes Backward Classes and women, shall allot offices to the Scheduled Tribes in the first instance where the proportion of the population of the Scheduled Tribes to the total population of the Gram Panchayat concerned is the highest in the descending order. (2) After excluding the Gram Panchayat Reserved for Scheduled Tribes in the Mandal Parishad, the Revenue Divisional Officer shall reserve from among the other Gram Panchayats, the offices for the Scheduled Castes and allocate them where the proportion of the population of the Scheduled Castes to the total population of the Gram Panchayat concerned is the highest in the descending order. (3) After excluding the Gram Panchayats reserved for Scheduled Tribes and Scheduled Castes in the Mandal Parishad, the Revenue Divisional Officer shall reserve from among the other Gram Panchayats, the offices for the Backward Classes where the proportion of voters belonging to Backward Classes in the Gram Panchayat to the total voters in the Gram Panchayat is the highest in the descending order. (4) The Revenue Divisional Officer shall reserve offices for women from out of the reserved and unreserved categories on the basis of the highest proportion of the population of women to the total population of the Gram Panchayat concerned is the highest in the descending order.

9.

(1) The reservation of offices for Scheduled Tribes, Scheduled Castes, Backward Classes and Women shall be by rotation as far as practicable commencing from the first ordinary election held under the Act. The offices reserved to STs., SCs., BCs. and women during the earlier ordinary elections shall not be again reserved to the same categories till a cycle of reservation in that category is completed, except in the case of offices reserved for Scheduled Tribes in the Gram Panchayats in the Scheduled Areas. (2) If the reservations so allotted to the post of Sarpanch, Gram Panchayat is not available in the particular Territorial Constituency that post may then be allotted to the general category of the allotted community to protect the ratio of such community. For example, if Sarpanch, Gram Panchayat is reserved for BC (Women) and if there is no BC (Women), Gram Panchayat, then the post shall become BC (General). (3) If a new Gram Panchayat is formed after ordinary general elections to Gram Panchayats, to determine the category of reservation to that Gram Panchayat proportionate reservation as provided from Rule 7 to 9 will be notionally worked out taking a new Gram Panchayat into consideration. If this new worked out reservations results in a clear additional seat for any one category, the Gram Panchayat newly created would be allotted to that category. If it

does not, then the reservation for the newly created Gram Panchayat shall be decided by drawing of lots: Provided that this does not apply to Gram Panchayats located in the schedule areas. Provided that where the reservation in respect of any category in the third ordinary elections requires the reservation of any seat/office to the same category, which was earlier reserved due to completion of cycle, then such reservation shall be made in respect of a seat/office reserved to the same category only in the first ordinary elections. Explanation. - (i) For the removal of doubts, it is hereby declared that for purpose of reserving offices under these rules, any fraction less than one-half shall be ignored and any fraction equal to or more than one-half shall be counted as one. (ii) The expression "Revenue Divisional Officer" under these rules shall include the Sub-Collector or Assistance Collector In-charge of Revenue Division.

Part II – Mandal Parishads Members of Mandal Parishad Territorial Constituencies

10.

(1) The District Collector shall in respect of each Mandal Parishad in the District determine, in the first instance, the number of Mandal Parishad Territorial Constituencies (Herein after referred to as MPTC) to be reserved in the Mandal Parishad concerned for the members belonging to Scheduled Tribes and the Scheduled Castes, subject to the condition that the number of MPTCs so reserved shall bear, as nearly as may be, the same proportion to the total number of MPTCs to be filled by direct election to the Mandal Parishad as the population of Scheduled Tribes or as the case may be, of the Scheduled Castes, in that Mandal Parishad bears to the total population of that Mandal Parishad, and communicate the same to all the Revenue Divisional Officers in the District in respect of the Mandals falling within their respective jurisdiction, subject to the condition that the District Collector shall, in the Mandal Parishad wholly located in the Scheduled Areas, allocate not less than one half of the total number of MPTCs in each Mandal Parishad for being reserved for Scheduled Tribes. (2) For the purpose of reserving MPTCs for Backward Classes in respect of the Territorial Constituencies of the Mandal Parishads in the District, the District Collector, shall determine the number of MPTCs to be reserved for the Backward Classes in each Mandal Parishad. on the basis of the proportionate percentage of Backward Classes of the Mandal Parishad and communicate the same to the concerned Revenue Divisional Officers in the District in respect of the Mandal Parishads falling within their respective jurisdiction. Note. - In order to arrive at the Mandal proportionate percentage of Backward Classes, the following formula shall be followed:

Mandal Proportionate Percentage of Backward Class = | Reservation for BCs in the State (34%) State percentage of BCs. (39.39%) | x Mandal BCs percentage

Explanation. - (i) Percentage of Backward (3) Classes reservation is 34% as provide in the Act. (ii) State percentage of Backward Classes is 39.39% as projected by the Directorate of Economics & Statistics as on 1-3-2001 from the date of Socio-Economic Survey conducted by the Andhra Pradesh Backward Class Finance Corporation Limited. (iii) Mandal Backward Class percentage is the figures as projected by the Directorate of Economics & Statistics as on 1-3-2001 from the date of Socio-Economic Survey conducted by the Andhra Pradesh (4) Backward Class Finance Corporation

Limited.(3)Notwithstanding anything contained in sub-rule (1), the District Collector shall, for purposes of reservation of MFrCs for Backward Classes in the Mandal Parishad wholly located in the Scheduled Areas, determine in the first instance the number of MPTCs remaining after reserving seats for Scheduled Tribes and Scheduled Castes in each such Mandal Parishad and arrive at the number of MPTCs to be reserved for Backward Classes computed only on the basis of such remaining MPTCs applying the proportionate percentage of population of Backward Classes in the Mandal. The District Collector shall reserve one-third of the number of MPTCs reserved for Scheduled Tribes,(4)Scheduled Castes and Backward Classes and one-third of the unreserved seats for women in each Mandal Parishad.(5)While communicating the number of MPTCs to be reserved for Scheduled Tribes, Scheduled Castes and Backward Classes, the District Collector shall also communicate to the Revenue Divisional Officer, the number of MPTCs to be reserved for women from among the said categories and also the number of MPTCs to be reserved for women from among the unreserved MPTCs in respect of each Mandal Parishad.(6)If a new MPTC is formed after ordinary elections to Mandal Parishads to determine the category of reservation to that MPTC, proportionate reservation as provided in subrules (1) to (5) shall be worked out taking the new MPTC into consideration. If this new worked out reservations, result in a clear additional seat for any one category, the MPTC newly created shall be allotted to that category. If it does not result in additional seat, then the reservation for the newly created MPTC shall be decided by drawing of lots.

11.

(1)The Revenue Divisional Officer, in his turn, shall on receipt of the communication under sub-rule (1) of Rule 10, reserve in respect of each Mandal Parishad in his Revenue Division, MPTCs allotted to the Scheduled Tribes in such Mandal Parishads in the first instance, where the proportion of the population of Scheduled Tribes in the MPTC to the total population of the MPTC concerned in the Mandal Parishad is the highest in the descending order.(2)After excluding the MPTCs reserved for Scheduled Tribes in the respective Mandal Parishad, the Revenue Divisional Officer shall reserve from among the other MPTCs for the Scheduled Castes allotted to each Mandal Parishad under sub-rules (1) of Rule 10, inTerritorial Constituencies where the proportion of the population of the Scheduled Castes in the MPTC to the total population of the MPTC concerned in the Mandal Parishad is the highest, in the descending order.(3)After excluding the MPTCs reserved for Scheduled Tribes and Scheduled Castes in respect of a Mandal Parishad, the Revenue Divisional Officer shall reserve from the remaining MPTCs for Backward Classes in each Mandal Parishad, such MPTCs where the proportion of voters belong to Backward Classes to the total number of voters in the MPTC concerned is the highest in the descending order.(4)The Revenue Divisional Officer shall reserve MPTCs for women from out of the reserved and unreserved categories on the basis of the highest proportion of the population of women to the total population of the MPTCs is ihe.highest in the descending order.

12.

The reservation of MPTCs for Scheduled Tribes, Scheduled Castes, Backward Classes and Women shall be, by rotation commencing from the first ordinary election under the Act. The MPTCs allotted to STs, SCs, BCs and women during the earlier ordinary elections shall not be allotted to the same

categories till a cycle of reservation that category is completed. Provided that where the reservation in respect of any category in the third ordinary elections requires the reservation of any seat/office to the same category, which was earlier reserved due to completion of cycle, then such reservation shall be made in respect of a seat/office reserved to the same category only in the first ordinary elections. Explanation. - For the removal of doubts, it is hereby declared that:-(i)for purposes of reserving seats under these rules any fraction less than one-half shall be ignored and any fraction equal to or more than one-half shall be counted as one.(ii)The expression Revenue Divisional Officer under these rules shall include the Sub-Collector or Assistant Collector in-charge of a Revenue Division. President, Mandal Parishads

13.

(1)The Commissioner shall determine in the first instance, the number of offices of President, Mandal Parishad to be reserved for the members belonging to Scheduled Tribes and Scheduled Castes, subject to the condition that the number of offices reserved for Scheduled Tribes shall be 8.25% and for Scheduled Castes 18.30% of the total number of offices of Presidents of Mandal Parishads in the State and then allot to each District on the basis of the proportion of the population of the Scheduled Tribes or of the Scheduled Castes in the District to the total population of the District and communicate the same to all the District Collectors in respect of the Mandal Parishads falling within their respective districts. Provided that all the offices of President of Mandal Parishads wholly located Scheduled Areas shall be reserved for Scheduled Tribes. (2)For the purpose of reserving offices of President for Backward Classes in respect of the Mandal Parishads, the Commissioner Panchayat Raj shall, in the first instance, determine the number of offices of Presidents to be reserved for the Backward Classes in the State such that the number of offices so determined shall be 34% of the total number of offices of President Mandal Parishads in the State and allot them to each District on the basis of the proportionate percentage of Backward Classes of each District arrived at in the manner specified, in the note under sub-rule (2) of Rule 16. (3)The Commissioner shall reserve one-third of the number of offices reserved for Scheduled Tribes, Scheduled Castes and Backward Classes and one-third of the unreserved offices for women in each District. (4)While communicating the number of offices to be reserved for Scheduled Tribes, Scheduled Castes and Backward Classes, the Commissioner shall also communicate to the District Collector the number of offices to be reserved for women from among these categories and also the number of offices to be reserved for women from among the un-reserved offices in respect of each District.

14.

(1)Reservation of office of President, Mandal Parishad shall be determined after reservation for Zilla Parishad Territorial Constituencies is completed as indicated in Rules 18 and 19. As far as possible, office of President, Mandal Parishad shall not be reserved for the same category as that corresponding to Zilla Parishad Territorial Constituency. (2)The District Collector in his turn shall on receipt of the communication under Rule 13 reserve the Mandal Parishads in the District and allot to the Scheduled Tribes in the first instance, where the proportion of the population of Scheduled Tribes to the total population of the Mandal Parishad concerned is the highest in the

descending order.(3)After excluding the Mandal Parishads reserved for Scheduled Tribes, the District Collector, shall reserve from among the other Mandal Parishads the Offices for the Scheduled Castes allocated to each District under Rule 13 where the proportion of the population of the Scheduled Castes of the Mandal Parishad to the total population of the Mandal Parishad concerned is the highest in the descending order.(4)The reservation of offices for Backward Classes in each District shall be made by the Collector after excluding the Mandal Parishads reserved for Scheduled Tribes and Scheduled Castes, where the proportion of the Backward Class voters in the Mandal Parishad to the total voters in the Mandal Parishad concerned is the highest in the descending order.(5)The Collector shall reserve offices for women from out of the reserved and un-reserved categories on the basis of the highest proportion of the population of women in the Mandal Parishad to the total population of the Mandal Parishad is the highest in the descending order.

15.

(1)The reservation of Offices for Scheduled Tribes, Scheduled Castes, Backward Classes and women shall be by rotation commencing from the first ordinary election held under the Act. The Offices of Mandal Presidents reserved to the STs, SCs, BCs and women during the earlier ordinary elections shall not be reserved to the same categories till a cycle of reservation in that category is completed, except the offices reserved for Scheduled Tribes in the Mandal Parishads wholly located in the Scheduled Areas.(2)If the reservations so allotted to the post of President, Mandal Parishad is not available in the particular territorial constituency, that post may then be allotted to the General Category of the allotted community to protect the ratio of such community. For example, if President Mandal Parishad is reserved for BC (Women) and if there is no B.C. (Women) MPTC, then the post will become B.C. (General).(3)If a new Mandal is formed after ordinary general elections to Mandal Parishads to determine the category of reservation to that Mandal, Mandal Parishad President post proportionate reservation as provided from Rules 13 to 15 shall be worked out taking the new Mandal Parishad into consideration. If this new worked out reservations, result in a clear additional seat for any one category, the Mandal Parishad newly created shall be allotted to that category. If it does not result in additional seat then the reservation for the newly created Mandal Parishad shall be decided by drawing of lots.Provided that where the reservation in respect of any category in the third ordinary elections requires the reservation of any seat/office to the same category, which was earlier reserved due to completion of cycle, then such reservation shall be made in respect of a seat/office reserved to the same category only in the first ordinary elections.Explanation. - For the removal of doubts, it is hereby declared that for purposes of reserving offices under these rules any fraction less than one half shall be ignored and any fraction equal to or more than one-half shall be counted as one.

Part III – Zilla Parishads Members of Zilla Parishad Territorial Constituencies

16.

(1)The District Collector shall determine, in the first instance, the number of Zilla Parishad Territorial Constituencies (hereinafter referred to as ZPTC) to be reserved for the members belonging to Scheduled Tribes and the Scheduled Castes subject to the condition, that the member of ZPTCs so reserved shall bear, as nearly as may be, the same proportion to the total number of ZPTCs to be filled by direct election to the Zilla Parishad as the population of Scheduled Tribes or as the case may be of the Scheduled Castes in that Zilla Parishad bears to the total population of that District falling within the jurisdiction.(2)For the purpose of reserving ZPTCs for Backward Classes in respect of the Territorial Constituencies in the District, the District Collector, shall determine the number of ZPTCs to be reserved for the Backward Classes in each District on the basis of the proportionate percentage of Backward Classes of District.Note. - In order to arrive at the District proportionate percentage of Backward Classes, the following formula shall be followed.

District Proportionate percentage of Backward Class = | Reservation for BCs in the State (34%)State percentage of BCs. (39.39%)| x District BCs percentage

Explanation I. - (i) Percentage of BCs. is 34% as provided in the Act.(ii)State percentage of Backward Classes is 39.39% as projected by the Directorate of Economics & Statistics as on 1-3-2001 from the data of Socio-Economic Survey.(iii)District Backward Class percentage is the figures as projected by the Directorate of Economics & Statistics.(3)The District Collector shall reserve one-third of the number of ZPTCs reserved for Scheduled Tribes, Scheduled Castes and Backward Classes and one-third of the unreserved ZPTCs for women in each Zilla Parishad.

17.

(1)The District Collector shall reserve in respect of ZPTCs and allot to the Scheduled Tribes in the District, in the first instance in such Zilla Parishad Territorial Constituencies, where the proportion of the population of the Scheduled Castes in the ZPTC to the total population of ZPTC concerned is the highest in the descending order.(2)The reservation of ZPTCs for Backward Classes in the District as allocated under sub-rule (2) of Rule 16, shall be made by the District Collector after excluding the Zilla Parishad Territorial Constituencies reserved for Scheduled Tribes and Scheduled Castes, where the proportion of the voters of Backward Classes in the ZPTC to the total voters in the ZPTC concerned is the highest in the descending order.(3)The District Collector shall reserve ZPTCs for women as allocated under sub-rule (3) of Rule 16, out of the reserved and unreserved categories on the basis of the highest proportion of the population of women to the total population of ZPTCs concerned is the highest in the descending order.

18.

The District Collector shall reserve seats with regard to Zilla Parishad Territorial Constituency in the first instance and thereafter reserve offices with regard to President, Mandal Parishad.

19.

The office of President, Mandal Parishad and the office of member of Zilla Parishad Territorial Constituency, which are co-terminus shall not as far as practicable, be reserved for same categories i.e., S.T./ S.C./B.C. and Women except the Offices reserved under Clause (b) under Rule 13(1).

20.

The reservation of ZPTCs for Scheduled Tribes, Scheduled Castes, Backward Classes and Women shall be by rotation commencing from the first ordinary election held under the Act. The ZPTCs allotted to the STs, SCs, BCs and Women during the earlier ordinary election shall not be allotted to the same categories till a cycle of reservation in that category is completed: Provided that where the reservation in respect of any category in the third ordinary elections requires the reservation of any seat/office to the same category, which was earlier reserved due to completion of cycle, then such reservation shall be made in respect of a seat/office reserved to the same category only in the first ordinary elections. Explanation. - For the removal of doubts, it is hereby declared that, for purposes of reserving seats under these rules any fraction less than one-half shall be ignored and any fraction equal to or more than one-half shall be counted as one. Chairperson, Zilla Parishad

21.

(1) The Commissioner, Panchayat Raj, shall in respect of the State determine in the first instance the number of offices of Chairpersons, Zilla Parishads to be reserved in the State for the members belonging to Scheduled Tribes and the Scheduled Castes subject to the condition that the number of Offices so reserved shall be 8.25% of the total number of Zilla Parishads in the State, in the case of Scheduled Tribes and 18.30% of the total number of Zilla Parishads in the State in the case of Scheduled Castes. (2) For the purposes of reserving offices of Chairpersons for Backward Classes in respect of the State, the Commissioner, Panchayat Raj, shall determine 34% of the offices to the members belonging to Backward Classes. (3) The Commissioner shall reserve one-third of the number of offices of Chairpersons reserved for Scheduled Tribes, Scheduled Castes and Backward Classes and one-third of the unreserved offices for women in the State.

22.

(1) The Commissioner, shall on determining the number under sub-rule (1) of Rule 21 in respect of the State, reserve offices of Chairpersons and allot to the Scheduled Tribes in the first instance, where the proportion of the population of Scheduled Tribes of the District to the total population of the District is the highest in the descending order. (2) After excluding the offices of Chairpersons reserved for Scheduled Tribes, the Commissioner Panchayat Raj, shall reserve from among the other Offices for the Scheduled Castes determined under sub-rule (1) of Rule 21, where the proportion of the population of the Scheduled Castes to the total population of the District is the highest in the descending order. (3) After excluding the offices of Chairpersons reserved for Scheduled Tribes and Scheduled Castes, the Commissioner shall reserve from among the other offices for the Backward

Classes determined under sub-rule (2) of Rule 21, where the proportion of the population of the Backward Classes voters to the total voters in the District concerned is the highest in the descending order.(4)The Commissioner, shall reserve offices of Chairpersons for women determined under sub-rule (3) of Rule 21, from out of the reserved and un-reserved categories on the basis of the highest proportion of the population of women in the District to the total population of District concerned to the highest in the descending order.

23.

(1)The reservation of offices of Chairpersons for Scheduled Tribes, Scheduled Castes, Backward Classes and Women shall be by rotation commencing from the first ordinary election held under the Act. The offices of Chairpersons of Zilla Parishads reserved for STs, SCs, BCs and Women during the earlier ordinary elections shall not be reserved for the same categories till a cycle of reservation in that category is completed.(2)If the reservations so allotted to the post of Chairpersons, Zilla Parishad is not available in the particular territorial constituency that post may then be allotted to the General category of allotted community to protect the ratio of such community. For example if Chairperson Zilla Parishad is reserved for B.C. (Women) and there is no B.C. (Women) ZPTC, then the post shall become B.C. (General).(3)If a new Zilla Parishad is formed after ordinary general elections to Zilla Parishad to determine the category of reservation to that Zilla Parishad, the proportionate reservation as provided from Rules 21 to 23 shall be worked out taking the new Zilla Parishad into consideration. If this new worked out reservations result in a clear additional seat for anyone category, the Zilla Parishad newly created shall be allotted to that category. If it does not result in additional seat then the reservation for the newly created Zilla Parishad shall be decided by drawing of lots.Provided that where the reservation in respect of any category in the third ordinary elections requires the reservation of any seat/office to the same category, which was earlier reserved due to completion of cycle, then such reservation shall be made in respect of a seat/office reserved to the same category only in the first ordinary elections.Explanation. - For the removal or doubts, it is hereby declared that for purposes of reserving Offices under these rules any fraction less than one-half shall be ignored and any fraction equal to or more than one half shall be counted as one.Transitional Provisions. - Any reservations already notified for the purpose of third ordinary elections under the rules, superseded by these rules shall stand cancelled.