

# Gujarat Panchayats (Second Amendment) Act, 1973

GUJARAT

India

## Gujarat Panchayats (Second Amendment) Act, 1973

### Act 26 of 1973

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An Act further to amend the Gujarat Panchayats Act, 1961. It is hereby enacted in the Twenty-fourth Year of the Republic of India as follows:-\* (Received the assent of the Governor on 27th November, 1973 and published in the Gujarat Government Gazette on the 28th November 1973)

#### **1. Short title and commencement.- (1) This Act may be called the Gujarat Panchayats (Second Amendment) Act, 1973.**

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

#### **2. Amendment of section 14 of Guj. 6 of 1962.- In the Gujarat Panchayats Act, 1961 (hereinafter referred to as "the principal Act"), in section 14, for sub-section (4), the following sub-section shall be substituted, namely:-**

"(4) Out of the total number of seats specified in sub-section (3), there shall be reserved,-(a)for Scheduled Castes, such number of seats as may be determined by the State Government so however that the number of seats so determined bears, as nearly as may be, the same proportion to the total number of seats specified in sub-section (3) as the population of the Scheduled Castes in the taluka bears to the total population of the taluka;(b)for Scheduled Tribes, such number of seats as may be determined by the State Government so however that the number of seats so determined bears, as nearly as may be, the same proportion to the total number of seats specified in sub-section (3) as the population of the Scheduled Tribes in the taluka bears to the total population of the taluka;(c)for women,-(i)three seats where the total number of seats is fifteen,(ii)four seats where the total number of seats is nineteen.(iii)five seats where the total number of seats is twenty three,(iv)six seats where the total number of seats is either twenty seven or, as the case may be, thirty one:Provided that out of the seats reserved for women under clause (c) there shall be allotted-(i)to the women belonging to the Scheduled Castes such number of seats, as may be determined by the State Government so however that the number of seats so determined bears, as nearly as may be,

the same proportion to the total number of seats reserved for women under clause (c) as the number of seats reserved for the Scheduled Castes under clause (a) bears to the total number of seats specified in sub-section (3);(ii)to the women belonging to the Scheduled Tribes such number of seats, as may be determined by the State Government so however that the number of seats so determined bears as nearly as may be the same proportion to the total number of seats reserved for women under clause (c) as the number of seats reserved for the Scheduled Tribes under clause (b) bears to the total number of seats specified in sub-section (3):Provided further that,-(i)where under the first proviso, any seats are allotted to women belonging to the Scheduled Castes, the number of seats reserved for the Scheduled Castes under clause (a) shall be deemed to be inclusive of the number of seats so allotted to women belonging to the Scheduled Castes, and(ii)where under the first proviso any seats are allotted to women belonging to the Scheduled Tribes, the number of seats reserved for the Scheduled Tribes under clause (b) shall be deemed to be inclusive of the number of seats so allotted to the women belonging to the Scheduled Tribes:Provided further that the reserved seats may be allotted by rotation to different constituencies in a taluka in the prescribed manner:Provided also that where in determining any seats to be reserved or allotted under this sub-section, any difficulty arises on account of a fraction in any number it shall be lawful for the State Government to round off such number in such manner as it considers necessary to secure the object of this sub-section."

**3. Amendment of section 15 of Guj. 6 of 1962.- In the principal Act, in section 15, for sub-section (4), the following sub-section shall be substituted, namely:-**

"(4) Out of the total number of seats specified in sub-section (3), there shall be reserved,-(a)for Scheduled Castes, such number of seats as may be determined by the State Government so however that the number of seats so determined bears, as nearly as may be, the same proportion to the total number of seats specified in sub-section (3) as the population of the Scheduled Castes in the district bears to the total population of the district;(b)for Scheduled Tribes, such number of seats as may be determined by the State Government so however that the number of seats so determined bears, as nearly as may be, the same proportion to the total number of seats specified in sub-section (3) as the population of the Scheduled Tribes in the district bears to the total population of the district;(c)for women,-(i)six seats where the total number of seats is thirty one,(ii)seven seats where the total number of seats is thirty five,(iii)eight seats where the total number of seats is thirty nine,(iv)nine seats where the total number of seats is forty three,(v)ten seats where the total number of seats is either forty seven, or as the case may be, fifty one:Provided that out of the seats reserved for women under clause (c) there shall be allotted,-(i)to the women belonging to the Scheduled Castes such number of seats as may be determined by the State Government so however that the number of seats so determined bears, as nearly as may be, the same proportion to the total number of seats reserved for women under clause (c) as the number of seats reserved for the Scheduled Castes under clause (a) bears to the total number of seats specified in sub-section (3);(ii)to the women belonging to the Scheduled Tribes such number of seats, as may be determined by the State Government so however that the number of seats so determined bears as nearly as may be the same proportion to the total number of seats reserved for women under clause (c) as the number of seats reserved for the Scheduled Tribes under clause (b) bears to the total number of seats specified in sub-section

(3): Provided further that, - (i) where under the first proviso, any seats are allotted to women belonging to the Scheduled Castes, the number of seats reserved for the Scheduled Castes under clause (a) shall be deemed to be inclusive of the number of seats so allotted to women belonging to the Scheduled Castes, and (ii) where under the first proviso any seats are allotted to women belonging to the Scheduled Tribes, the number of seats reserved for the Scheduled Tribes under clause (b) shall be deemed to be inclusive of the number of seats so allotted to the women belonging to the Scheduled Tribes: Provided further that the reserved seats may be allotted by rotation to different constituencies in a district in the prescribed manner: Provided also that where in determining any seats to be reserved or allotted under this sub-section, any difficulty arises on account of a fraction in any number, it shall be lawful for the State Government to round off such number in such manner as it considers necessary to secure the object of this sub-section."