

Tamil Nadu Panchayats (Reservation of Seats and Rotation of Reserved Seats) Rules, 1995

TAMILNADU

India

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Rule

TAMIL-NADU-PANCHAYATS-RESERVATION-OF-SEATS-AND-ROTATION of 1995

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Tamil Nadu Panchayats (Reservation of Seats and Rotation of Reserved Seats) Rules, 1995Published vide Notification No. G.O, Ms. No. 142, Rural Development (C-II), Dated the 7th August 1995 - No. SRO A-48 (A)/95G.O, Ms. No. 142. - In exercise of the powers conferred by sub-section (1) of section 242 read with sections 11, 20, 32 and 57 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), the Governor of Tamil Nadu hereby makes the following Rules: -

1. Short title.

- These Rules may be called the Tamil Nadu Panchayats (Reservation of Seats and Rotation of Reserved Seats) Rules, 1995.

2. Definition.

- In these Rules, unless the context otherwise require, -(1)"Act" the means Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994);(2)All other words and expressions used in these Rules, but not defined in these Rules, shall have the meanings respectively assigned to them in the Act.

3. Reservation of seats for the members of Scheduled Castes and Scheduled Tribes.

(1)In every Village Panchayat, Panchayat Union Council and District Panchayat, the number of seats reserved for the persons belonging to the Scheduled Castes and Scheduled Tribes out of the total

number of seats fixed under Rule 3 of the Tamil Nadu Panchayats (Fixation of Strength of Members and Division of Wards) Rules, 1995, in the Village Panchayat, Panchayat Union Council or District Panchayat, as the case may be, shall bear as nearly as may be the same proportion to the total number of seats to be filled by direct election in that Village Panchayat, Panchayat Union Council or District Panchayat, as the case may be, as the population of the Scheduled Castes or of the Scheduled Tribes in that Village Panchayat area, Panchayat Union Council area or District Panchayat area, as the case may be, bears to the total population of that area.(2)While determining the number of seats to be reserved in favour of Scheduled Castes or Scheduled Tribes, any fraction shall be ignored.(3)Among the seats reserved for Scheduled Castes or Scheduled Tribes not less than one-third shall be reserved for women belonging to Scheduled Castes/Scheduled Tribes:[Provided that if the number of seats reserved for Scheduled Castes or Scheduled Tribes is not more than one, it would not be necessary to reserve any seat for women belonging to the Scheduled Castes and the Scheduled Tribes.] [Substituted by G.O. Ms. No. 178, Rural Development (C-II), dated the 4th October 1995.]

4.

[***] [Omitted by G.O. Ms. No. 162, Rural Development, dated the 7th August 1996.]

5. Reservation of seats for women.

- In every Village Panchayat, Panchayat Union Council and District Panchayat Council, not less than one-third shall be reserved for women including the number of seats reserved for women belonging to Scheduled Castes and Scheduled Tribes [***] [Omitted by G.O. Ms. No. 162, Rural Development, dated the 7th August 1996.], out of the total number of seats fixed under rule 3 of the Tamil Nadu Panchayats (Fixation of Strength of Members and Division of Wards) Rules, 1995.

6. Reservation of seats in respect of offices of [***] [Omitted by G.O. Ms. No. 162, Rural Development, dated the 7th August 1996.] Chairmen of Panchayat Union Councils and District Panchayats.

- [(1) Seats shall be reserved in the offices of Presidents of Village Panchayats, Chairmen of Panchayat Union Councils and Chairmen of District Panchayats for persons belonging to Scheduled Castes and Scheduled Tribes. The total number of seats in the offices so reserved shall bear, as nearly as may be, the same proportion to the total number of offices in the Panchayats at each level in the State as the population of the Scheduled Castes and the Scheduled Tribes in the State bear to the total population of the State:Provided that not less than one-third of such offices shall be reserved for women belonging to the Scheduled Castes and Scheduled Tribes.] [Substituted by G.O. Ms. No. 178, Rural Development (C-II), dated the 4th October 1995.][(1-A) The offices of the Chairmen of District Panchayats reserved under sub-rule (1) shall be allotted to districts taking into consideration, the population of the Scheduled Castes and Scheduled Tribes in every district in such a manner that the total number of offices so allotted, does not exceed the total number of the offices reserved under sub-rule (1).] [Substituted by G.O. Ms. No. 178, Rural Development (C-II), dated the

4th October 1995.][(1-B) The offices of [*] **[Substituted by G.O. Ms. No. 178, Rural Development (C-II), dated the 4th October 1995.] the Chairmen of Panchayat Union Councils reserved under sub-rule (1), shall be allotted to every district taking into consideration the population of the Scheduled Castes and the Scheduled Tribes in every such district, in such a manner that the total number of offices so allotted to [*]** [Omitted by G.O. Ms. No. 189, Rural Development (C-II), dated the 11th October 1995.] the Panchayat Union Councils in all districts, does not exceed the total number of the offices reserved under sub-rule (1).][(1-C) The offices of the Presidents of Village Panchayats reserved under sub-rule (1), shall be allotted to every Panchayat Union taking into consideration the population of the Scheduled Castes and the Scheduled Tribes in every such Panchayat Union, in such a manner that the total number of offices so allotted to the Village Panchayats in all Panchayat Unions, does not exceed the total number of the offices reserved under sub-rule (1).] [Added by G.O. Ms. No. 189, Rural Development, (C-II), dated the 11th October 1995.](2)[***] [Omitted by G. O. Ms. No. 162, Rural Development, dated the 7th August 1996.](3)Of the total number of offices of Presidents of Village Panchayats, Chairmen of Panchayat Union, Councils and Chairmen of District Panchayats, not less than one-third shall be reserved for women including the offices reserved for women belonging to the Scheduled Castes, Scheduled Tribes [***] [Omitted by G. O. Ms. No. 162, Rural Development, dated the 7th August 1996.].

7. Rotation of reserved seats and office.

- [(1) Reservation of seats or offices under Rules 3,5 and 6 shall be made [*] **[Rule 7 was renumbered as sub-rule (1) and sub-rule (2) was added by G. O. Ms. No. 105, RD & PR (C4), dated the 1st September, 2006.] in the ward or territorial ward or Panchayat where the population of the Scheduled Castes, Scheduled Tribes, [*]** [Omitted by G. O. Ms. No. 179, Rural Development (PE), dated the 29th August 1996.] or women, as the case may be, is comparatively large to the total population of the ward or territorial ward or the Panchayat¹ [by adopting a list of wards or Panchayats arranged in the descending order of the percentage of Scheduled Castes, Scheduled Tribes and Women] [Added by G. O. Ms. No. 179, Rural Development (PE), dated the 29th August 1996.]:Provided that such seats reserved for women in wards of Village Panchayats or Panchayat Unions or territorial wards of District Panchayats and such seats reserved for Scheduled Castes, Scheduled Tribes, [*] **[Omitted by G. O. Ms. No. 162, Rural Development, dated the 7th August 1996.] and for women in the offices of Presidents of Village Panchayats, Chairpersons of Panchayat Union Councils and Chairpersons of District Panchayats, shall be allotted by rotation [at the expiry of every ten years] [Substituted by G. O. Ms. No. 157, Rural Development (C-I), dated the 14th June 2001.] and re-allotted to other wards or territorial wards or Panchayats where the percentage of population of women or Scheduled Castes, Scheduled Tribes [*]** [Omitted by G. O. Ms. No. 162, Rural Development, dated the 7th August 1996.] as the case may be, is next larger to the total population of that ward, territorial ward or Panchayat, by adopting a list of wards or Panchayats arranged in the descending order of the percentage of [***] [Omitted by G. O. Ms. No. 162, Rural Development, dated the 7th August 1996.], Scheduled Castes, Scheduled Tribes and women.](2)Notwithstanding anything contained in sub-rule (1) -(a)the seats reserved for persons belonging to the [Scheduled Castes and Scheduled Tribes and Women in the Wards] [Substituted

for 'Scheduled Castes and Scheduled Tribes in the wards' by G.O. Ms. No. 87, dated 25.7.2016.] or territorial wards, as the case may be, of the Village Panchayats, Panchayat Unions and District Panchayats under sub-rule (1) shall, subject to the change, if any, in the number of seats to be reserved in such wards for the persons belonging to the Scheduled Castes and Scheduled Tribes due to adoption of the population as ascertained at the last preceding census of which relevant figures have been published [or for women] [Inserted by G.O. Ms. No. 87, dated 25.7.2016.], continue to be reserved as such, until the Government direct otherwise. Explanation 1. - If there is increase in the number of seats to be reserved for Scheduled Castes and Scheduled Tribes by adopting the population as ascertained at last preceding census of which relevant figures have been published [or for women] [Inserted by G.O. Ms. No. 87, dated 25.7.2016.], such increased seat or seats shall be reserved in wards where the population of the Scheduled Castes and Scheduled Tribes [or women] [Inserted by G.O. Ms. No. 87, dated 25.7.2016.], as the case may be, is comparatively large by adopting a list of wards excluding the wards already reserved, arranged in the descending order of the percentage of Scheduled Castes and Scheduled Tribes [or of women] [Inserted by G.O. Ms. No. 87, dated 25.7.2016.]. Explanation 2. - In case of reduction in the number of seats to be reserved for Scheduled Castes and Scheduled Tribes by adopting the population as ascertained at the last preceding census of which relevant figures have been published, a list of reserved wards arranged in the descending order of the percentage of Scheduled Castes and Scheduled Tribes shall be prepared and the wards having a least percentage of such population shall be de-reserved to the extent necessary. (b) The offices of the Presidents of the Papapatti, Keeripatti and Nattarmangalam Village Panchayats in Madurai district and Kottakatchiyendal Village Panchayat in Virudhunagar district reserved for the Scheduled Castes shall continue to be reserved as such until the Government direct otherwise.