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GOVERNOR OF ASSAM

ORDERS BY THE GOVERNOR

PANCHAYAT AND RURAL DEVELOPMENT (A) DEPARTMENT

NOTIFICATION

The 13th September, 2000

No.PDA.414/99/Pt.I/1. The Governor of Assam is pleased to published Assam Panchayat (Constitution) (Amendment) Rules, 2000 for general information.

**THE ASSAM PANCHAYAT (CONSTITUTION)
(AMENDMENT) RULES, 2000.**

Preamble In exercise of the powers conferred by sub-section (1) of section 141 of the Assam Panchayat Act, 1994 (Assam) Act No. XVIII of 1994) the Governor of Assam is pleased further to amend the Assam Panchayat (Constitution) Rules, 1995, hereinafter referred to as the Principal Rules, in the manner hereinafter appearing, namely:-

Short title and commencement. 1. (1) These rules may be called the Assam Panchayat (Constitution) (Amendment) Rules, 2000.

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

Amendment of Rule 6. 2. In the Principal Rules, in rule 6:-

(i) For sub-rule(2), the following shall be substituted, namely :-

“(2) Reservation of constituencies for the Scheduled Castes and the Scheduled

Tribes respectively, in a Gaon Panchayat area shall be decided on the basis of proportion as provided under subsection(1) of section 9 of the Act by the concerned Deputy Commissioner or the Sub-Divisional Officer as the case may be. While calculating the number of seats to be so reserved, if the result bears any fraction which is 5 more it shall be rounded off to the next higher integer and if it less than 5 then it shall be ignored. In making reservation of the required number of constituencies for the Scheduled Tribes in a Gaon Panchayat area, the constituencies with the higher number of Scheduled Castes or Scheduled Tribes population as the case may be, shall be reserved first and so on in order of such population in the descending order. The notice for reservation of the Scheduled Castes and Scheduled Tribes constituencies shall be published on or before seven clear days from date of submission of nominations. The copies of such notice shall be fixed respectively in the Gaon Panchayat Office and the Block Development Office concerned:

Provided that reservation of constituencies for schedule Castes or Schedule Tribes as the case may be under this provision shall be allotted by rotation to different constituencies having Schedule Castes and Schedule Tribes population in the descending order of such population as provided herein above.

(ii) For sub-rule (4), the following shall be substituted, namely :-

“4 (a) Number of the officers of the Chairpersons of Gaon Panchayats to be reserved for the Schedule Castes or the Schedule Tribes as the case may be, under sub-section (4) of section 9, shall bear the same proportion of total number of such offices in the Gaon Panchayat of the districts as the proportion of Schedule Castes and Schedule Tribes as the case may be, of the districts bears to the total population of the district. The concerned Deputy Commissioner of the district shall determine the offices of Chairpersons to be so

reserved. While calculating the number of offices to be reserved, if the result bears any fraction which is 5 or more it shall be rounded off to the next higher integer and if it is less than 5 then it shall be ignored. In selecting the Gaon Panchayat for reservation of the offices of Chairperson for the Schedule Castes and Schedule Tribes. The Gaon Panchayat with the highest number of Schedule Castes and Schedule Tribes population, as the case may be, shall be reserved first and so on in order of such population in the descending order:

Provided the such reservation of the offices of chairperson shall be allotted by rotation among the Gaon Panchayat having Schedule Castes and Schedule Tribes population in the descending order of such population as provided hereinabove.

- (b) Out of the total Offices of Chairpersons to be reserved for the Schedule Castes and Schedule Tribes as the case may be, in the

district, not less than 33% of such offices shall be reserved for women of Schedule Castes and Schedule Tribes. The Gaon Panchayat to be reserved for women of Schedule Castes and Schedule Tribes shall be determined by drawing of lot by the Deputy Commissioner of the District concerned and shall be allotted by rotation.

- (c) The Gaon Panchayat reserved for women Chairpersons under subsection (4) of section 9 of the Act shall not be less than 33% of the total number of Gaon Panchayats in the district including the seats reserved for women of the Schedule Castes and Schedule Tribes and such reservation shall be by drawing of lot and shall be allotted by rotation.
- (d) For lottery seats for women reservation the representatives of all recognised Regional and National Political Parties shall be taken into confidence.

- (e) The notice for reservation under this sub-rule shall be published on or before seven clear days from the date of submission of nominations. The copies of such notices shall be fixed respectively in the Gaon Panchayat Office and the Block Development Office concerned.”

Amendment 3. In the Principal Rules, in rule 7:-
of rule 7.

- (i) For sub-rule (2), the following shall be substituted namely:-

- “(2) (a) The number of seats to be reserved in a Anchalik Panchayat for the Schedule Castes and Schedule Tribes for direct election shall be determined in the proportion as provided under sub-section (1) of section 34 of the Act by the Deputy Commissioner of the concerned district. In determining the number of seats to be so reserved, if the result bears a fraction which is or more it shall be rounded off to the next higher integer and if it is less than 5 it shall be ignored. In selecting the Gaon Panchayat for

reservation under this provision, the Gaon Panchayat with the highest number of Schedule Castes and Schedule Tribes population, as the case may be, shall be reserved first and so on in order of such population in the descending order:

Provided that reservation of the Gaon Panchayats under this provision shall be allotted by rotation among the Gaon Panchayat having Schedule Castes and Schedule Tribes population in the descending order of such population as provided hereinabove.

- (b) Out of that total seats reserved under clause (a) above, not less than 33% of the number of Gaon Panchayat so reserved for the member of Anchalik Panchayat belonging to Schedule Castes and Schedule Tribes in the district, shall be reserved for women of Schedule Castes and Schedule Tribes as the case may be, and shall be determined by the Deputy Commissioner of the district

concerned by drawing of lot and shall be allotted on rotation:

Provided that such reservation shall be done on rotation among the Gaon Panchayat having Schedule Castes and Schedule Tribes population.

- (c) The seats reserved for the women member to Anchalik Panchayats of the district shall not less than 33% of the total number of seats including the seats reserved for women Scheduled Castes and Scheduled Tribes and such reservation shall be determined by the concerned Deputy Commissioner by drawing of lot and shall be allotted by rotation.
- (d) For lottery of seats for women reservation, the representatives recognised regional and national political parties shall be taken into confidence.
- (e) The notice for reservation under sub-rule shall be published by the Deputy Commissioner on or before

seven clear days from the date of submission of nominations. The copies of such notice shall be fixed in the office of the Gaon Panchayat and the Block Development Officer concerned.

(ii) For sub-rule (3), the following shall be substituted, namely :-

“(3) (a) Such number of offices of the President and Vice President of the Anchalik Panchayats in the district shall be reserved for the persons belonging to the Schedule Castes and Schedule Tribes as the case may be, as may be determined by the concerned Deputy Commissioner on the basis of the proportion as provided under clauses (a) and (b) of sub-section (1) of section 38 of the Act. In determining the number of seats to be so reserved, if the result bears a fraction which is $\frac{5}{10}$ or more it shall be ignored. In selecting the Anchalik Panchayats for reservation under the provision, the Anchalik Panchayat with highest number of

Scheduled Castes and Scheduled Tribes population as the case may be, shall be reserved first and so on order of such population in the descending order:

Provided that such reservation shall be done on rotation among the Anchalik Panchayat having the Scheduled Castes and Scheduled Tribes population in the descending order of such population. (b) Out of the total seats reserved under clause (a) above, not less than 33% of the offices if the President and the Vice –President shall be reserved for women of Scheduled Castes and Scheduled Tribes. The seats to be reserved for women of Scheduled Castes and Scheduled Tribes shall be determined by the concerned Deputy Commissioner of the district by drawing of lot from amongst the seats reserved for the Scheduled Castes and Scheduled Tribes and shall be allotted by rotation.

- (c) Not less than 33% of the total number of Offices of the President

and Vice-President of Anchalik Panchayat in the district including offices reserved for the women of Scheduled Castes and Scheduled Tribes, as the case may be shall be reserved for women and such reservation shall be determined by drawing of lot by the concerned Deputy Commissioner and allotted by rotation.

- (d) For lottery of seats for women reservation, the representation of all recognised Regional and National parties be taken into confidence. (e) The notice for reservation under this sub-rule shall be published from the date of submission of nomination. The copies of such notice shall be fixed in the office of the Deputy Commissioner and the Block Development Officer concerned.”

**Amendment
of rule 8.**

- 4.** In the Principal Rules, in the rule 8, for sub-rule (2), the following shall be substituted, namely :-

- “(2) (a) The number of seats to be reserved for Scheduled Castes and Scheduled Tribes as the case may be, for

members in the Zilla Parishad shall be determined by the Deputy Commissioner of the concerned district in the proportion as provided under sub-section (1) of section 66 of the Act. In determining the number of seats to be reserved if the result bears a fraction which is $\frac{5}{10}$ or more it shall be rounded off to the next higher integer and if it is less than $\frac{5}{10}$ than it shall be ignored. In selecting the number constituencies for reservation under this provision, the member constituency with highest number of Scheduled Castes and Scheduled Tribes population as the case may be shall be reserved first and so on in the descending order of such population:

Provided that such reservation shall be done on rotation among the member constituencies having Scheduled Castes and Scheduled Tribes population in the descending order of such population as provided hereinabove.

- (b) Out of the total seats reserved under clause (a) above, not less than one-third of the total seats so reserved, shall be reserved for the women of the Scheduled Castes and Scheduled Tribes as the case may be, by the Deputy Commissioner and such seats shall be determined by drawing of lot and allotted by rotation.

- (c) Not less than one-third including the number of seats reserved for women belonging to the Scheduled Castes and Scheduled Tribes as the case may be, for the members of Zilla Parishad shall be reserved for women in the manner as provided under sub-section (1) of section 67 of the Act, by the concerned Deputy Commissioner of the district by drawing of lot and shall be allotted by rotation.

- (d) For lottery of seats for women reservation the representative of all recognised Regional and National Political parties shall be taken into confidence.

(e) The notice of reservation under this sub-rule shall be published by the Deputy Commissioner on or before seven clear days from the date of submission of nominations. The copies of such notice shall be fixed in the office of the Deputy Commissioner, the Sub-divisional Officer and Block Development Officer concerned.”

**Amendment 5.
of rule 12.**

In the Principal Rules, in rule 12 :-

(i) The existing sub-rule (4) shall be renumbered as clause (b) and before clause (b) so renumbered the following shall be inserted as sub-rule (4) (a), namely :- “(4) (a) The names of voters who attains 18 years of age on the first day of January of the year of operation of preparation of the votes list for Panchayat Election shall be included in the voter list if such claims are submitted by the sons/ daughters or wives as the case may be, of such voters whose names are already included in the voter list taken as reference as a valid list by the State Election Commission, subject to the

condition that the Electoral Registration Offices are satisfied that claimants are Indian Citizen.”

- (ii) For sub-rule (7), the following shall be substituted, namely :-

“(7) The Registration Officers shall cause due verification of the claims as under clauses (a) and (b) of sub-rule (4) after which his decision in this regard shall be final.”

- (iii) For sub-rule (8), the following shall be substituted, namely :-

“(8) Form of application for inclusion of voters under clauses (a) and (b) of sub-rule shall be as follows:-

(1) Name of applicant:-

(2) Permanent Address:-

(a) Village and Mouza:-

(b) Police Station:-

(c) Post Office:-

- (d) Name of Father / Husband:-
- (e) Citizenship:-
- (f) Age as on 1st January of the year of preparation of the voter list :-
- (g) Name of the Gaon Panchayat Constituency where the claimant ordinarily resides:-
- (h) Name of the polling station and serial number of Electoral Roll showing the name of father/husband of the application claiming entry into the voter list on attaining 18 years of age:-

I hereby certify that the information furnished above are true to the best of my knowledge and belief.

Signature /Thumb Impression
Of the Applicant

Certified that the above information furnished by the claimant are found correct/incorrect on verification.

The name of the claimant be, therefore, included/not included in the voters list of.....member constituency ofGaon Panchayat.

(The portion not applicable may be strike off.)

**Signature of Electoral
Registration Officer.**

**K. K. MITTAL,
Commissioner & Secretary,
Panchayat & RD (A) Department.**