



GOVERNMENT OF TRIPURA
PANCHAYAT DEPARTMENT

THE TRIPURA PANCHAYATS

(Delimitation of Constituencies)

RULES, 1993.

THE TRIPURA PANCHAYATS (DELIMITATION OF CONSTITUENCIES) RULES, 1993.

**(As amended upto the 11th February, 1999, vide Panchayat
Department Notification No.F.6(2-23)-GL/PR/98/15513,
dated 11th February, 1999)**

PART – I

CHAPTER – I

PRELIMINARY

1. Short Title and Commencement :

- (1) These Rules may be called the Tripura Panchayats (Delimitation of Constituencies) Rules, 1993 ;
- (2) They shall come into force on and from the date of their publication in the Official Gazette ;

2. Definition :

- (1) In these Rules, unless there is anything repugnant to the subject or context ;
 - (a) '**Act**' means the Tripura Panchayats Act, 1993 (Tripura Act No. 7 of 1993) ;
 - (b) '**Form**' means a Form appended to these Rules and includes a manuscript or type written or cyclostyled copy and also Bengali translated copy thereof ;
 - (c) '**Scheduled**' means the Scheduled appended to these Rules ;
 - (d) '**Section**' means a Section of the Act.
- (2) The expression used in these rules and not otherwise defined shall have the same meaning as are respectively assigned to them in the Act.

CHAPETER – II

GRAM PANCHAYATS AND CONSTITUTENCIES

3. Determination of Number of Members for a Gram Panchayat and Number of Members of the Scheduled Tribes, the Scheduled Castes and Women :

(1) Subject to the maximum and minimum numbers laid down in sub-section (2) of Section 12, the Sub-Divisional Magistrate shall, be an order in Form – A 1, after previous publication of the draft order in Form – A, determine the number of members to be elected to a Gram Panchayat as far as practicable on the following basis namely :-

Population		Number of Members
(a)	Where the population of a Gram does not exceed 3000 (Three Thousand)	9 (Nine)
(b)	Where the population of a Gram exceeds 3000 (Three thousand) but, does not exceed 6000 (Six Thousand).	12 (Twelve)
(c)	Where the population of a Gram exceed 6000 (Six Thousand)	15 (Fifteen)

*[Provided that notwithstanding any increase or decrease of population as the case may be without change of local limits, the number of members determined above in the First General Election will remain unchanged in next two General Elections till full rotation is completed.]

(2) The Sub-Divisional Magistrate shall, out of the number of members determined under sub-rule (1), reserve seat or seats, if any, for the members of the Scheduled Tribes or the Scheduled Castes or for women as required under Section 14.

(3) The number of the Scheduled Castes members and the Scheduled Tribes members to be elected from among the members determined under sub-clause (1), which shall bear, as nearly as may be, the same proportion with number of the members of the Gram Panchayat as the Scheduled Castes population or the Scheduled Tribes population, as the case may be, bears with the total population in the Gram :

Provided that -

- (i) the number of the Scheduled Castes or the Schedule Tribes or the total population in a Gram shall be determined primarily on the basis of the last preceding census of which the relevant figures are published.

- (ii) when census figures are not available for any area of a Gram, the prescribed authority shall, subject to such order of the State Government as may be made in this behalf, determine the number of the Scheduled Castes or the Scheduled Tribes or the total population on the basis of any other authenticated record maintained by any office or organization of any department of the State Government of where no such records is available, on the basis of a local enquiry, which may include house to house enumeration, caused by him for the purposes as aforesaid after consulting where necessary, any portion of the census report electoral roll of the Tripura Legislative Assembly or any other authenticated record that may be of assistance.
- *[(iii) when it is ascertained from the available records that one or more portion of area of a Gram, have in all such portions taken together, the scheduled castes or the Scheduled Tribes population constituting less than 3%(three percent) of the total population of the concerned Gram, such scheduled castes or scheduled tribes population figures in respect of sons shall not be taken into account for the purpose of this sub-rule.]
- (iv) the Sub-Divisional Magistrate by an order in writing, shall record, before publication of the draft of the order in Form A, the procedure adopted, the records and documents relied upon and the findings made for the purpose of determination of the Scheduled Castes and the Scheduled Tribes members.
4. The number of women members to be elected so as to constitute—
- (i) not less than one-third of the Scheduled Castes and the Scheduled Tribes members to be elected under **[sub-rule] (3);
- (ii) not less than one-third of the total number of members to be elected to the Gram Panchayat including the number determined under ***[] clause (i) of this ****[sub-rule] and then declare the number of women members for seats not reserved under *****[sub-rule] (3) ;

Provided that the total number of seats reserved for the Scheduled Castes and the Scheduled Tribes shall be taken into account while determining the total number of seats to be reserved for women among them.

* [] The Provision within the square brackets has been substituted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

** [] The words within the square brackets have been substituted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

*** [] The word 'Sub' after the word 'under' and before the word 'clause' within the square brackets has been omitted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

**** [] The words within the square brackets have been substituted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

***** [] The wordsf within the square brackets have been substituted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

Explanation –

(1) An authenticated record maintained by any department shall be a record authenticated by the senior officer of that department posted in any office or organization under the department located in the district.

(2) In determining the number of seats to be reserved under *[sub-rule] (3), any fraction of half or more than half shall be rounded off to the next higher whole number and any fraction of less than half shall be ignored.

4. Division of a Gram into Constituencies and allocation of seats, Assignment of serial number for the Constituencies and the seats and Reservation of seats.

(1) Subject to the maximum and minimum numbers laid down in sub-section (2) of Section 12, the Sub-Divisional Magistrate shall, be notification in Form 'B1' after previous publication of the draft notification in Form B, shall --

- (a) determine the name and number of constituencies into which the area of a Gram shall be divided ;
- (b) specify the area to be included in each constituency ;

Provided that each of the constituency relating to a Gram Panchayat shall, as far as practicable, be geographically compact area :

Provided further that every constituency shall be so delimited as to fall wholly within the area of the Gram ;

- (c) divide, in recognizable units like paras, localities, neighbourhood or colonies, the area of a Gram into constituencies on the basis of the number of the members determined under sub-rule (1) of rule 3 ;
- (d) allocate to each constituency, such number of seats not exceeding two as may conform to the number determined under sub rule (1) of rule 3 ;
- (e) assign consecutive serial numbers to all such constituencies of a Gram following the sequence of the numbers assigned to the constituencies.
- ** [(f) declare such number of seats to be reserved, by rotation, for the scheduled castes or scheduled tribes person form amongst the seats allocated to the constituencies, each constituency having such scheduled castes or scheduled tribes population bears with the total population in that constituency not less than half of the proportion of 3% (three percent), whichever is higher as may be determined under Sub-rule (3) of Rule 3.]

Provided that –

- (i) the proportion of the Scheduled Castes or the Scheduled Tribes population as aforesaid shall be determined on the basis of last preceding census of which the relevant figures have been published.;

* [] The words within the square brackets have been substituted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

** [] The Provision within the square brackets has been substituted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

- (ii) when the census figures are not available for any constituency or for any portion of any constituency, the Sub-Divisional Magistrate, shall subject to such order of the State Government as may be made in this behalf, determine the proportion which the Scheduled Castes or the Scheduled Tribes population bears with total population on the basis of any other authenticated record maintained by any office or organisation of any Department of the State Government.
- (iii) the seats available for reservation by rotation shall be arranged in the ascending order of the serial numbers of such seats and formed into two groups having all the odd numbers of the seats in the first group and all the even numbers of the seats in the second group in case the seats available comprise only odd or only even numbers, there shall be formed a single group and, in every such case, the group shall be formed maintaining the ascending order of the serial numbers ;
- (iv) for the first term of election among every three consecutive terms, seats shall be reserved commencing from the first group and then from the second group, if necessary, or from the single group, as the case may be, beginning in every such case from the lowest serial number in order to reach the number determined under sub-rule (3) of rule 3 ;
- (v) for the second and the third term of election, the same procedure shall be followed except that reservation shall be made after excluding the seats reserved in earlier terms of election and, in the event of shortfall of the required number of seats, seats beginning from the lowest serial number of the first group between the two groups or from the single group, as the case may be, shall be reserved, notwithstanding that such seats were reserved in any earlier term ;
- (vi) if, following the principle of rotation, any seat is selected in any term of election for reservation for both the Scheduled Castes and Scheduled Tribes persons, preference shall be given to reservation for the Scheduled Tribes persons and, thereafter, reservation for the Scheduled Castes persons shall be made of the seat coming next in order ;
- (vii) the Sub-Divisional Magistrate by an order in writing, shall record, before the publication of the draft of the order in Form A, the procedure adopted, the records and documents relied upon and the findings made for the purpose of declaration of the seats reserved for the Scheduled Castes or the Scheduled Tribes.

* [Provided further that notwithstanding anything contained in the foregoing provisions of these Rules, the principle of rotation for the purpose of reservation shall commence from the First General Election and the roster for reservation by rotation shall continue for three successive terms to complete the rotation unless the State Government, for reason to be recorded in writing, and by notification, directs fresh commencement of the rotation at any stage excluding the earlier term or terms of elections from the operation of the rotation.]

- (g) declare such number of seats reserved for women as may be determined under sub-clause (i) and sub-clause (ii) of sub-rule (4) of rule 3 :

Provided that such declaration of seats shall be made separately in respect of the seats determined under sub-clause (i) and sub-clause (ii) of rule (4) of rule 3 :

Provided further that such declaration of seats for women shall be made in such a way that all unreserved seats shall be arranged in ascending order of seats numbers continuously. From these first seat shall be made reserved for women and subsequently every third seat shall be reserved for women for the first term of election among every three consecutive terms.

The same procedure shall be applicable in case of reservation of seats for the Scheduled Tribes and the Scheduled Castes women. In this case all reserved seats for the Scheduled Tribes and the Scheduled Castes shall be taken together for reservation of the seats for the Scheduled Tribes and the Scheduled Castes women.

Provided also that in case the number of seat determined under sub-clause (i) or sub-clause (ii), of sub-rule (4) of rule 3 is one only, that seat shall be reserved for women for the first term of election and there shall be no reservation for the second and the third term of election ;

Provided also that reservation of seats for women for the second and third term of election shall be made after excluding the seats reserved in earlier term or terms for the general category women, Scheduled Tribe women and for the Scheduled Caste women. There shall be no bar for reservation of same seats for the women for second and third terms.

5. Manner of publication of notification under rules 3 and 4.

(1) The Notification in Form – A under rule 3 and Form – B under rule 4 shall be published not later than five weeks before the date of poll by posting copies thereof in some conspicuous places in the office of the concerned –

- (a) Sub-Divisional Officer
- (b) Block Development Officer ; and
- (c) District Magistrate ;
- (d) the Gram Panchayat to which the Notification relates and the Panchayat Samiti and the Zilla Parishad within which the Gram is situated ;

* [] The Provision within the square brackets has been inserted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

(2) Any person affected by such order may submit any objection or suggestion in writing stating the reasons thereof so as to reach to the Sub-Divisional Magistrate within one week from the date of such publication.

(3) The Sub-Divisional Magistrate shall consider the objections or suggestion, if any, received by him within the stipulated period and may make suitable alterations and amendments in the order.

(4) The Sub-Divisional Magistrate shall publish the notification in Form A1 or Form B1 with alteration and amendments, if any, not later than three weeks before the date of poll by posting it in the same places where the draft notification was published and, upon such publication the order shall come into force ;

Provided that the notification shall be deemed to have been duly published if there has been substantial compliance with the provisions of this rule and any omission to post the notification in one or more places shall not invalidate the notification.

CHAPTER – III

PANCHAYAT SAMITI

6. Determination of numbers of members and Constituencies for Panchayat Samiti.

*[(1) Subject to maximum and minimum number of members specified in sub-section (1) of Section – 71, the Sub-Divisional Magistrate shall, having regard to the population of each Panchayat Samiti area, by an order in Form C-1, after previous publication of the draft order in the Form No.- C, determine the number of members to be elected to a Panchayat Samiti as far as practicable in the following manner :-

- (a) a constituency of a Panchayat Samiti may be formed with a Gram or a number of Grams or part thereof a Gram or a number of Grams within the total territorial area of the Panchayat Samiti without dividing part of a constituency of a Gram. One member shall be elected for the Panchayat Samiti from each of such constituency.
- (b) number of members shall be determined on the basis of the following scales of population.

Population	Number of Members
(i) Where the population of a Panchayat Samiti does not exceed 30000 (thirty thousands)	9 (nine)
(ii) Where the population of a Panchayat Samiti exceeds 30,000 (Thirty Thousands) but does not exceed 50,000 (fifty thousands).	11 (eleven)
(iii) Where the population of a Panchayat Samiti exceeds 50,000 (fifty thousands) but does not exceed 80,000 (eighty thousands)	13 (thirteen)
(iv) Where the population of a Panchayat Samiti exceeds 80,000 (eighty thousands)	15 (fifteen)

Provided that notwithstanding any increase or decrease of population as the case may be without change of local limits, the number of members determined above in the First General Election shall remain unchanged in next two General Elections till full rotation is completed.]

****[** (2) The Sub-Divisional Magistrate shall by notification in Form No. D(1), after previous publication of the draft of the notification in Form D divide the territorial area of a Panchayat Samiti into such number of single member constituencies as the number of members determined and manner laid down under sub-rule (1), to be directly elected to be members of a Panchayat Samiti. While dividing the territorial areas of a Panchayat Samiti into constituencies, such constituencies shall be formed with such number of constituencies of Grams under the concerned Panchayat Samiti maintaining a symmetry of average population of the constituencies as far as practicable.]

(3) The Sub-Divisional Magistrate shall assign by a notification in the Form D1 after publication of Form D, consecutive serial numbers to all such constituencies following, as far as practicable, the sequence of the numbers assigned to the Gram Panchayat Constituencies.

(4) The Sub-Divisional Magistrate shall, by an order in the Form D1 after previous publication of the draft notification in the Form D, determine ---

- (a) The number of the Scheduled Castes and the Scheduled Tribes members to be elected from among the members determined under sub-rule (1) which shall, bear, as nearly as may be, the same proportion with the number of members to be elected to the Panchayat Samiti as the Scheduled Castes population or the Scheduled Tribes population as the case may be, bears to the total population in the Panchayat Samiti area ;

Provided that --

- (i) The number of the Scheduled Castes or the Scheduled Tribes or the total population in a Panchayat Samiti area, shall be determined on the basis of the last preceding census of which the relevant figures have been published.

* [] The Provisions within the square brackets have been substituted by amendment vide Panchayat Department Notification No.F 6(2-23)-GL/PR/98/15513, dated 11-02-1999.

** [] The Provision within the square brackets has been substituted by amendment vide Panchayat Department Notification No.F 6(2-23)-GL/PR/98/15513, dated 11-02-1999.

- (ii) When census figures are not available for any area of a Panchayat Samiti, the prescribed authority shall, subject to such order of the State Government as may be in this behalf, determine the number of the Scheduled Castes or the Scheduled Tribes or the total population on the basis of any other authenticated record maintained by any office or organization of any Department of the State Government.
- * [(iii) When it is ascertained from the available records that one or more portion of the area of a Panchayat Samiti have in all such portions taken together, the Scheduled Castes or the Scheduled Tribes population constituting less than 3% (three percent) of the total population of the concerned Panchayat Samiti, such Scheduled Castes or Scheduled Tribes population figures in respect of such portions shall not be taken into account for the purpose of this Sub-Rule;]
- (iv) The Sub-Divisional Magistrate, by an order in writing, shall record, before publication of the draft of the order in Form C, the procedure adopted, the records and documents relied upon and findings made for the purpose of determination of the member of the Scheduled Castes and the Scheduled Tribes members.

EXPLANATION -

- (i) An authenticated record maintained by any department shall be a record authenticated by the senior officer of the department posted in any office or organization under the department located in the district.
- (ii) In determining the number of constituencies to be reserved under this rule, any fraction of half or more than half shall be rounded off to the next higher whole number and any fraction of less than half shall be ignored ;
- (b) the number of women members to be elected so as to constitute –
 - (i) not less than one-third of the Scheduled Castes and the Scheduled Tribes members determined under clause (a) ;
 - (ii) not less than one-third of the total number of members to be elected to the Panchayat Samiti including the number determined under sub-clause (i) of this clause and then declare the number of women members for constituencies not reserved under clause (a) ;

Provided that the total number of the Scheduled Castes and the Scheduled Tribes members determined under clause (i) shall be taken into account while determining the total number of women members among them.

(5) The Sub-Divisional Magistrate shall by an order in Form C1 after previous publication in Form C –

* [] The Provision within the square brackets has been substituted by amendment vide Panchayat Department Notification No. 6(2-23)-GL/PR/98/15513, dated 11-02-1999.

- * [(a) declare such number of constituencies to be reserved, by rotation, for the scheduled castes or the scheduled tribes person from amongst the constituencies, each constituency having such scheduled castes or scheduled tribes population bears with the total population of that constituency not less than half of the proportion or 3%(three percent), whichever is higher, as may be determined under sub-clause (a) of Sub-Rule (4) :]

Provided that –

- (i) the proportion of the Scheduled Castes and the Scheduled Tribes population as aforesaid shall be determined on the basis of the last preceding census of which the relevant figures have been published
- (ii) when census figures are not available for any constituency or for any portion of any constituencies, the prescribed authority shall, subject to such order of the State Government as may be made in this behalf, determine the proportion which the Scheduled Castes or the Scheduled Tribes population bears with the total population on the basis of any other authenticated record maintained by any office or organization of any Department of the State Government.
- (iii) the constituencies available for reservation by rotation shall be arranged in the ascending order of the serial numbers of such constituencies and formed into two groups having all the odd numbers of the constituencies in the first group and all the even numbers of the constituencies in the second group ; in case the constituencies available comprise only odd or only even numbers, there shall be formed a single group and, in every such case, the group shall be formed maintaining the ascending order of the serial numbers.
- (iv) for the first term of election among every three consecutive terms, constituencies shall be reserved commencing from the first group and then from the second group, if necessary, or from the single group, as the case may be, beginning in any such case from the lowest serial number in order to reach the number determined under clause (a) of sub-rule (4) ;
- (v) for the second and the third terms of election, the same procedure shall be followed except that reservation shall be made after excluding the constituencies reserved in earlier term or terms of election and, in the event of the shortfall of the required number of constituencies, constituencies beginning from the lowest serial number of the first group between the two groups or from the single group, as the case may be, shall be reserved, notwithstanding that such constituencies were reserved in any earlier term ;

- (vi) If following the principle of rotation, any constituency is selected in any term of election for reservation for both the Scheduled Castes and Scheduled Tribes persons, preference shall be given to the reservation for the Scheduled Tribes persons and, "thereafter, reservation for the Scheduled Castes persons shall be made of the constituency coming next in order, the Sub-Divisional Magistrate, by an order in writing, shall record, before the publication of the draft of the order in Form C, the procedure adopted, the records and documents relied upon and findings made for the purpose of declaration of the constituencies reserved for the Scheduled Castes or the Scheduled Tribes ;

*[Provided further that notwithstanding anything contained in the forgoing provisions of these Rules, the principle of rotation for the purpose of reservation shall commence for the First General Election and the roster of reservation by rotation shall continue for three successive terms to complete rotation unless the State Government, for reasons to be recorded in writing, any by notification, directs fresh commencement of the rotation at any stage excluding the earlier term or terms of elections from the operation of the rotation.]

- (b) Such number of constituencies reserved for women as is equal to the number of members determined under clause (b) of sub-rule (4)

Provided that such declaration of constituencies shall be separately in respect of the women members to be elected as determined under sub-clause (i) and sub-clause (ii) of clause (b) of sub-rule (4).

Provided further that such declaration of seats for women shall be made in such a way that all unreserved seats shall be arranged in ascending order of seats numbers continuously. From these first seat shall be made reserved for women and subsequently every third seat shall be reserved for women for first term of election among every three consecutive terms.

The same procedure shall be applicable in case of reservation of seats for the Scheduled Tribes and the Scheduled Castes women. In this case all reserved seats for Scheduled Tribes and the Scheduled Castes shall be taken together for reservation of seats for Scheduled Tribes and Scheduled Castes women :

Provided also that in case the members of constituency determined under sub-clause (i) or sub-clause (ii) of clause (b) of sub-rule (4) is one only, that constituency shall be reserved for women for the first term of election and there shall be no reservation for the second and the third term of election :

* [] The Provision within the square brackets has been inserted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

Provided also that reservation of seats for women for the second and third term of election shall be made after excluding the seats reserved in earlier term or terms for the general category women, Scheduled Tribes women and for the Scheduled Castes women. There shall be no bar for reservation of same seats for the women for second and third terms.

7. **MANNER OF PUBLICATION OF ORDER UNDER RULES 6 :**

(1) The draft of the notification under rule 6 shall be published in Form – C not later than five weeks before the date of poll by posting the same in some conspicuous places in the office of the ---

- (i) The Gram Panchayat within the Panchayat Samiti to which the order relates ;
- (ii) Panchayat Samiti to which the order relates ; and
- (iii) The Block Development Officer, Sub-Divisional Officer, District Magistrate & Collector and the Zilla Parishad of the area concerned;

(2) Any person affected by such order may submit any Objection or Suggestion in writing stating the reasons thereof so as to reach the Sub-Divisional Magistrate within one week from the date of such publication.

(3) The Sub-Divisional Magistrate shall consider the objections or suggestions, if any, received by it within the stipulated period and may make suitable alterations or amendments in the order.

(4) The Sub-Divisional Magistrate shall publish the notification in the Form C(I) with alterations and amendments, if any, not later than 3 weeks before the date of poll by posting the same in the places where the draft of the order was published, and upon such publication, the order shall come into force :

Provided that the order shall be deemed to have been duly published if there has been a substantial compliance with the provision of this rule and any omission to post the order in one or more places shall not invalidate the order.

CHAPTER – IV

ZILLA PARISHAD

8. Determination of number of constituencies, allotment of seats to the Scheduled Tribes and the Scheduled Castes for Zilla Parishad.

*[(1) Subject to the provision laid down in Sub-section (1) of Section 123 of the Act including maximum and minimum number of members, the District Magistrate shall, having regard to the population of each Zilla Parishad area, by a notification determine the number of members to be elected to a Zilla Parishad as far as practicable in the following manner, namely :-

- (a) One member shall be elected to the Zilla Parishad from each constituency.
- (b) Number of members shall be determined on the basis of the following scales of population.

Population	Number of Members
(i) Where the population of a Zilla Parishad does not exceed 1,50,000 (One lakh fifty thousands)	9 (nine)
(ii) Where the population of a Zilla Parishad exceeds 1,50,000 but does not exceed 2,50,000 (Two lakhs fifty thousands).	13 (thirteen)
(iii) Where the population of a Zilla Parishad exceeds 2,50,000 but does not exceed 4,00,000 (Four lakhs)	17 (seventeen)
(iv) Where the population of a Zilla Parishad exceeds 4,00,000 but does not exceed 6,00,000 (Six lakhs)	21 (twenty-one)
(v) Where the population of a Zilla Parishad exceeds 6,00,000 but does not exceed 8,00,000 (Eight lakhs)	28 (twenty-eight)
(vi) Where the population of Zilla Parishad exceeds 8,00,000 but does not exceed 10,00,000 (Ten lakhs)	35 (thirty-five)
(vii) Where the population of a Zilla Parishad exceeds 10,00,000 (Ten lakhs)	40 (forty)

Provided that notwithstanding any increase or decrease of population as the case may be without change of local limits, the number of members determined above in the First General Election shall remain unchanged in next two General Elections till full rotation is completed.]

**** [** (2) After publication of the notification under sub-rule (1), District Magistrate shall, by an order in Form E(1), after previous publication in Form E, divide the territorial area of the Zilla Parishad into such number of single member constituencies as the number of members determined under Sub-Rule (1) to be directly elected to be member of the Zilla Parishad. While dividing the territorial area of a Zilla Parishad into constituencies, such constituencies shall be formed with such number of constituencies of Panchayat Samiti under the concerned Zilla Parishad maintaining a symmetry of average population of the constituencies as far as practicable.]

*****[** (3) The District Magistrate shall assign by a notification in Form F (I) after publication in Form F, consecutive serial number to all such constituencies within the area of a Zilla Parishad.]

(4) The District Magistrate shall, by a notification in the Form F1 after previous publication in Form F, determine -

- (a) the number of constituencies to be reserved for the Scheduled Castes and the Scheduled Tribes which shall bear, as nearly as may be the same proportion with the number of the constituencies in the Zilla Parishad, as the Scheduled Castes population or the Scheduled Tribes population, as the case may be, bears with the total population in the area of the Zilla Parishad.

Provided that the number of the Scheduled Castes or the Scheduled Tribes or the total population of the Zilla parishad area shall be determined on the basis of the last preceding census of which the relevant figures have been published ,

- (b) determine the number of women members to be elected so as to constitute ---
 - (i) not less than one-third of the Scheduled Castes and the Scheduled Tribes members determined under clause 9a) ;
 - (ii) not less than one-third of the total number of the members to be elected to be Zilla Parishad including the number determined under sub-clause (i) of this clause and then declare the number of women members for constituencies not reserved under clause (a) :

* [] The Provisions within the square brackets have been substituted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

**** []** The Provision within the square brackets has been substituted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/FR/98/15513, dated 11-02-1999.

***** []** The Provision within the square brackets has been substituted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

Provided that the total number of the Scheduled Castes and the Scheduled Tribe member determined under clause (a) shall be taken into account while determining the total number of the women members among them ;

- * [(c) declare such number of constituencies to be reserved by rotation, for the scheduled castes or Scheduled Tribe persons from amongst the constituencies, each constituency having such Scheduled Castes or Scheduled Tribes population bears with the total population of that constituency not less than half of the proportion or 3%(three percent), whichever is higher, as may be determined under sub-clause (a) of Sub-Rule (4) :]

Provided that ---

- (i) that proportion of the Scheduled Castes or the Scheduled Tribes population shall be determined on the basis of the last proceeding census of which the relevant figures have been published ;
- (ii) when census figures are not available for any constituency, or for any portion of any constituency, the District Magistrate shall, subject to such order of the State Government as any be made in this behalf, determine the proportion which the Scheduled Castes or the Scheduled Tribes population bears with the total population on the basis of any authenticated records maintained by any office or organization of any Department of the State Government;
- **[(ii A) when it is ascertained from the available records that one or more portion of the area of a Zilla Parishad have in all such portion taken together, the Scheduled Castes or the Scheduled Tribes population constituting less than 3% (three percent) of the total population of the concerned Zilla Parishad, such Scheduled Castes or Scheduled Tribes population figures in respect of such portion shall not be taken into account for the purpose of this Sub-Rule ;]
- (iii) the constituencies available for reservation by rotation shall be arranged in ascending order of the serial numbers of such constituencies and formed into two groups having all the odd numbers of the constituencies in the first group and all the even numbers of the constituencies in the second group ; in case the constituencies available comprise only odd or only even numbers, there shall be formed a single group and, in every such case, the groups shall be formed maintaining the ascending order of the serial numbers ;
- (iv) for the first term of election among every three consecutive terms, constituencies shall be reserved commencing from the first group and then from the second group, if necessary ; or from the single group, as the case may be beginning in every such case from the lowest serial number in order to reach the number determined under clause (c) ;

* [] The Provision within the square brackets has been substituted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

** [] The Provision within the square brackets has been inserted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

- (v) for the second and third term of election, the same procedure shall be followed except that reservation shall be made after excluding the constituencies reserved in earlier term or terms of election and, in the event of the shortfall of the required number of constituencies, constituencies beginning from the lowest serial number of the first group between the two groups or from the single group, as the case may be, shall be reserved, notwithstanding that such constituencies were reserved in any earlier term ;
- (vi) if, following the principle of rotation, any constituency is selected in any term of election for reservation for both the Scheduled Castes and the Scheduled Tribes person, preference shall be given to reservation for the Scheduled Tribes persons and, thereafter, reservation for the Scheduled Castes persons shall be made for the constituency coming next in order ;
- (vii) the District Magistrate, by an order in writing shall record, before the issue of the notification under this rule, the procedure adopted, the records and documents relied upon, the findings made for the purpose of declaration of the constituencies reserved for the Scheduled Castes and the Scheduled Tribes ;
- * [Provided further that notwithstanding anything contained in the foregoing provisions of these Rules, the principle of rotation for the purpose of reservation shall commence from the First General Election and the roster for reservation by rotation shall continue for three successive terms to complete the rotation unless the State Government, for reasons to be recorded in writing, and by notification, directs fresh commencement of the rotation at any stage excluding the earlier term or terms of elections from the operation of the rotation.]
- (d) declare such number of constituencies reserved for women as is equal to the number of member determined under clause (b) :

Provided that such declaration of constituencies shall be made separately in respect of the constituencies reserved for Scheduled Castes and the Scheduled Tribes and the other constituencies in Zilla Parishad.

Provided further that such declaration of seat for women shall be made in such a way that all unreserved seats shall be arranged in ascending order of seats numbers continuously. From first seat shall be made reserved for women and subsequently every third seat shall be reserved for women for the first term of election among every three consecutive terms.

The same procedure shall be applicable in case of reservation of seats for the Scheduled Tribes and the Scheduled Castes women. In this case all reserved seats for the Scheduled Tribes and the Scheduled Castes shall be taken together for reservation of seats for the Scheduled Tribes and the Scheduled Castes women;

* [] The Provision within the square brackets has been inserted by amendment vide Panchayat Department Notification No.F.6(2-23)-GL/PR/98/15513, dated 11-02-1999.

Provided also that in case of the number of constituency determined under clause (d) is one only, that constituency shall be reserved for women for the first term of election and there shall be no reservation for the second and the third term election;

Provided also that reservation of seats for women for the second and third term of election shall be made after excluding the seats reserved in earlier term or terms for the general category women and for the Scheduled Caste women. There shall be no bar for reservation of same seats for the women for second and third terms.

9. **Manner of publication by order under rule 8 :**

(1) The draft of the order under rule 8 shall be published in Form E not later than five weeks before the date of poll by posting the same in some conspicuous places in the office of the ---

- (i) Gram Panchayat within the Panchayat Samiti area to which the order relates ;
- (ii) Panchayat Samiti to which the order relates ;
- (iii) District Magistrate & Collector, the Sub-Divisional Officer, the Block Development Officer, the Zilla Parishad of the area concerned ;
- (iv) Director of Panchayats and the District Panchayat Officer.

(2) Any person affected by such order may submit any objection or suggestion in writing stating the reasons thereof so as to reach the prescribed authority within one week from the date of such publication.

(3) The District Magistrate shall consider the objection or suggestion, if any, received by it with the stipulated period and may make suitable alteration or amendment in the order.

(4) The District Magistrate shall, publish the notification / order in the Form E1 with alterations and amendments, if any, not later than three weeks before the date of poll by posting the same in places where the draft of the order was published and upon such publication, the order shall come in to force:

Provided that the order shall be deemed to have been duly published if there has been a substantial compliance with the provision of these rules and any inadvertent omission to post the order in one or more places shall not invalidate the orders.

Miscellaneous

10. No alteration, addition, amendments shall be made after the last date of filling of nomination in respect of the any seats to the Gram Panchayats, Panchayat Samiti or the Zilla Parishad.

11. Delimitation of constituencies and determination of seats for the Gram Panchayats, the Panchayat Samitis and the Zilla Parishads, as the case may be shall not be made before the next general election.

12. The State Government may, at any time, call for the records connected with the division of area into constituencies in respect of the Gram Panchayat, the Panchayat Samiti or the Zilla Parishad and the allocation of seat or seats to each of such constituency made under rules 3,6 and 8 for the purpose of satisfying itself of the correctness of any order passed or proceedings taken in the said matter by the District Magistrate and or the Sub-Divisional Magistrate, as the case may be, pass such orders thereon as may be deemed necessary. The District Magistrate or the Sub-Divisional Magistrate, as the case may be, shall modify the order passed by it earlier in accordance with the decision of the State Government in the manner mentioned in rules 5,7 and 9.

13. **Removal of Difficulties :**

- (1) The State Government may issue such general or special directions as may, in its opinion, be necessary for the purpose of giving effect to these rules, or delimitation of constituencies or of reservation by rotation under the Act.
- (2) If any difficulty arises in giving effect to the provisions of these rules, in delimitation of constituencies or of reservation of seats by rotation, the State Government as occasion require, may, by order, do anything which appears to it to be necessary for the purpose of removing the difficulty.



FORM-A
(See Rule-3(1))

NO.

Dated.....

NOTIFICATION

In exercise of the powers conferred by Section 12 and 13 of the Tripura Panchayats Act.,1993, read with rule 3 of the Tripura Panchayats (Delimitation of Constituencies) Rules,1993, I, the Sub-Divisional Magistrate of the Sub-Division of ----- hereby publish the draft of this Notification to determine for the Grams specified in Column(1) of the Schedule below, the total number of members to be elected to the Gram Panchayat showing the number of seats reserved for Scheduled Tribes/Scheduled Castes/Women as specified in the corresponding entries in Column (2) in the said schedule for general information.

The draft will be taken up for consideration after one week from this day and any objections or suggestions with respect thereto which may be received by the undersigned before the date shall be duly considered.

SCHEDULE

Sub-Division:-

Block :-

Name of the Gram	Total number of members to be elected to the Gram Panchayat			
	Total number of members 2(a)	Scheduled Castes members 2(b)	Scheduled Tribes members 2(c)	Women members 2(d)
1	2	3	4	5

Sub-Divisional Magistrate