

Punjab Govt. Gaz.(Extra.) Oct.11, 1994

(ASWN 19, 1916 SAKA)

Notification

The 10th October, 1994

No. G.S.R.65/P.A.9/94/Ss12, 106 and 227/94.- With reference to Government of Punjab, Department of Rural Development and Panchayat's Notification No. G.S.R.61.P.A 9/94/Ss 12, 106 and 227/94, dated the 23rd September, 1994 and in exercise of the powers conferred by section 227 read with section 12 and 106 of the Punjab Panchayati Raj Act, 1994 (Punjab Act No. 9 of 1994) and all other powers enabling him in this behalf, the Governor Punjab is pleased to make the following rules, namely:-

RULES

1. (1) These rules may be called the Punjab Reservation for the Offices of Sarpanches of Gram Panchayats and Chairmen and Vice-Chairmen of Panchayat Samitis and Zila Parishads Rules, 1994.

(3) They shall apply to the Gram Panchayats, Panchayat Samitis and Zila Parishads constituted under the Act.

2. **Definitions.** In these rules, unless the context otherwise requires:-

(a) 'Act' means the Punjab Panchayati Raj Act, 1994; (b) 'Government' means the Government of Punjab in the Department or Rural Development and Panchayats; (c) 'Section' means a section of the Act.

3. **Reservation of Seats for the Offices of Sarpanches.**

(1) The Deputy Commissioner shall, by notification in the Official Gazette, reserve the offices of the Sarpanches of Gram Panchayats for the persons belonging to Scheduled Castes (including one half women belonging to the Scheduled Castes) in the same proportion as the population of the Scheduled

Castes in the district bears to the total population of the district. The offices of Sarpanches of Gram Panchayats shall be reserved as per the roster prepared by the Deputy Commissioner.

(2) One half offices of the Sarpanches (including those reserved for women belonging to Scheduled Castes) shall be reserved for the women. The reservation shall be operated as per the roster prepared by the Deputy Commissioner:

Provided that a fraction of a seat shall not be treated a seat for the purpose of reservation:

Provided further that keeping the ratio of reservation intact under the provisions of sub-rules (1) and (2) of this rule, where a Gram Panchayat has ninety per cent or more Scheduled Castes population, the office of the Sarpanch of such Gram Panchayat shall be reserved for the Scheduled Castes or Scheduled Caste women, as the case may be. Likewise, where a

Gram Panchayat has ninety per cent or more General Category population, the office of the Sarpanch of such Gram Panchayat shall be reserved for the women or kept for a General Category person, as the case may be. While doing so, the reservation point as per roster may slip down to the next serial number(s), as the case may be.

(3) **Omitted.** Vide Punjab Government Gaz., (EXTRA), 27th August, 2018.

4. Reservation of Offices of Chairmen and Vice-chairmen, of Panchayat Samitis and Zila Parishads. The State Government shall, by notification in the Official Gazette reserve the offices of Chairmen and vice-Chairmen of the Zila Parishads and Panchayat Samitis for the persons belonging to Scheduled Castes in the district in the same proportion as the population of the Scheduled Castes in the district bears to the total population of the district and the such offices of the Zila Parishads bearing as nearly as may be the same proportion to the total number of offices in the State as the population of the Scheduled Castes in the State bears to the total population of the State as per last

Census in the manner hereinafter specified. Reservation for these offices shall be made by rotation:-

(i) Not less than one half of the total number of offices reserved for Scheduled Castes will be reserved for women belonging to the Scheduled Castes.

(ii) The remaining offices reserved for Scheduled Castes will be available to the Scheduled Castes irrespective of the sex:

Provided that a fraction of a seat shall not be treated a seat for the purpose of reservation.

5 Reservation for Women. The State Government shall by notification, in the Official Gazette, reserve the offices of the Chairmen and vice-Chairmen of the Zila Parishads and Panchayat Samitis for the women on rotation basis. Not less than one half of the total number of such offices including those reserved for women belonging to Scheduled Castes as per rule 4 shall be reserved for the women:

Provided that a fraction of a seat shall not be treated a seat for the purpose of reservation.

Sections 6. On or after the commencement of the Punjab Panchayati 107 and 170. Raj (Amendment) Act, 2017 (Punjab Act 12 of 2017), the first reservation for the offices of Chairmen and Vice-Chairmen of the Zila Parishads and Panchayat Samitis shall be made in accordance with the provisions of rule 4 and 5. In the subsequent elections. all newly created constituencies shall be bunched together at the end of unreserved constituencies of last roster. In accordance with

the principle of rotation, reservation in the subsequent elections shall start from first non-reserved constituency in this roster in the order of Scheduled Caste-Scheduled Caste Women- Women. The remaining constituencies shall be unreserved.

6A. On or after the commencement of the Punjab Panchayati Section12. Raj (Amendment) Act, 2017 (Punjab Act 12 of 2017), the first reservation for the offices of Sarpanches of Gram Panchayats

shall be made in accordance with the provisions of rule 3 and rule 5. In the subsequent elections, all newly created Gram Panchayats shall be bunched together at the end of unreserved constituencies of last roster. In accordance with the principle of rotation, reservation in the subsequent elections shall start from first non-reserved constituency in this roster in the order of Schedule Caste-Scheduled Caste Women-Women. The remaining constituencies shall be unreserved.

7 Bar on reservation. If as a result of the rotation as per rule 6 a particular office remains reserved during two consecutive elections, the same will as far as possible, be kept for general category candidate for the third election by shifting the point to the next lower point which as a result of the rotation, is likely to be kept for general category candidate. In such a situation, such a lower point will be deemed to have been reserved in place of the point so dereserved:

Provided that the provisions of this rule shall not apply to the cases covered under proviso to sub-rule(2) of rule 3.

7A. De-reservation of the office of Vice-Chairman in certain contingencies. If as a result of rotation as per rule 6 office of Chairman of Zila Parishad or Panchayat Samiti, as the case may be, is reserved for Scheduled Castes or for Scheduled Castes Women, then the office of Vice-Chairman of that Zila Parishad or Panchayat Samiti as far as possible, be kept for general category candidate or for a woman of general category by shifting the point to next lower point, which as a result of rotation, is likely to be kept for general category candidate. In such a situation, such a lower point shall be deemed to have been reserved in place of the point so de-reserved.

8 Omitted. Vide Notification No.G.S .R.31/P.A.9/1994/Ss 12, 106, 169 and 227/Amd.(4)/2018 dated the 24th May, 2018 (Published on 30 May 2018).

9 Newly constituted Gram Panchyats, Panchayat Samitis and Zila Parishads. When ever a new Gram Panchayat, Panchayat Samiti or Zila parishad is constituted after the commencement of these rules, the new Gram

Panchayat, Panchayat Samiti or Zila Parishad, as the case may be, shall be added in the relevant roster at the end.

Rules amended through PUNJAB GOVT GAZ. (EXTRA)-

1.vide notification No. G.S.R.

12/P.A.9/94/Ss.12, 106, 169 and

227/Amd.(1)/2000. dated the 2nd(3rd)February, 2000.

2.vide notification No. G.S.R.

29/P.A.9/1994/Ss.12 ,106 and

227/Amd.(2)/2008. dated the 10th April, 2008.

3.vide notification No. G.S.R.

32/P.A.9/1994/Ss.12 and

227/Amd.(3)/2013. dated the 24th May, 2013.

4.CORRIGENDUM dated 30th May, 2013 to correct notification No. G.S.R. 32 dated the 24th May, 2013.

5.vide notification No. G.S.R.

31/P.A.9/1994/Ss.12, 106,169 and

227/Amd.(4)/2018. dated the 24th May, 2018.

6.vide notification No. G.S.R.

67/P.A.9/1994/Ss.12 and

227/Amd.(4)/2018. dated the 27th August, 2018.

7.vide notification No. G.S.R.

85/P.A.9/1994/Ss.12, 107,170 and

227/Amd.(5)/2018. dated the 13th November, 2018.