

TRIPURA MUNICIPAL (DELIMITATION OF CONSTITUENCIES) AMENDMENT RULES, 1995

GOVERNMENT OF TRIPURA Urban Development Department Agartala The Tripura Municipal [Delimitation of Constituencies I Amendment Rules, 1995. Published in the EXTRAORDINARY ISSUE OF TRIPURA GAZETTE Agartala, Saturday, September 30, 1995 A. D.. Asvina 8, 1917 S. E. GOVERNMENT OF TRIPURA VRBA-X DEVELOPMENT DEPARTMENT AGARTALA Dated, Agartala, the 30th September, 1995, NOTIFICATION In exercise OF the powers conferred by Section 274 of the Tripura Municipal Act, 1994 the State Government hereby makes the following rules to make amendment in the Tripura Municipal (Delimitation of Constituencies) Rules, 1994, namely (i) These rules may be called the Tripura Municipal (Delimitation of Constituencies) Amendment Rules, 1995 They shall come into force at (ii) 2. In Sub-rule (1) of Rule 2 of the Tripura Municipal (Delimitation of 1994 (hereinafter referred to as a principal rules) after Constituencies) Rules, clause (b) of the following clauses shall be added. Constituency ' 'means the Ward of a Municipality'S 30 For Sub-rule (2) of rule 3 the following shall be substituted, namely for the purpose of election of Municipality the District Magistrate having jurisdiction shall, in form B, after previous publication in form A, divide the Municipal Area in to wards. The number of wards shall be the same as the number of seats to be filled up by election in a Municipality as determined under sub-section (1) of Section 1 i He shall also indicate in forms A and B the Constituencies (wards). if any, to be Castes and 1 n the reserved for Scheduled Tribes, Scheduled Municipality." following 4e After rule 3 of the principal rules the inserted, namely by procedure for determining seats Castes, Scheduled Tribes and Women (I) After determination of total number of seats and the of seats reserved for Scheduled Castes or the Scheduled Tribes Women under sub-section (1) of Section 12 of the Tripura Municipal Act, 1994, for a Municipality, the District Magistrate shall, by order in form B, after previous publication of the draft order form A, (a) divide the area of the Municipality' Into number of constituencies (wards) as determined under Section 12(1) of the Tripura Municipal Act, 1994 ; (b) determine the area to be included in the each constituency , (c) assign the consecutive serial number of such constituencies of a Municipality following a sequence constituencies a Municipality reserved for (d) declare the Scheduled Castes and Scheduled Tribes , (e) declare the constituencies reserved for Women in a Municipality provided that while determining the number of constituencies to be reserved for women, the reservation of constituencies for women belonging to Scheduled Castes and Scheduled Tribes Communities shall also be taken into account. (2) (i) While reserving the seats (or Scheduled Caste and Scheduled Tribe by rotation In a Municipality the District Magistrate shall consider the percentage of Scheduled Caste and Scheduled Tribe population, as the case may be, in the of that Municipality and such population shall be determined on the basis of last preceding census of which the relevant figures have been published Provided that when census figures are not available for any area of a Municipality, the District Magistrate shall determine the number of Scheduled Caste or the Scheduled Tribes of the total population of the constituency on the basis of any other authenticated record maintained by any office or organisation of any department of the State Government or a local authority or where no such record is available, on the basis of local enquiry, which may include house to house enumeration caused by him for the purpose as aforesaid after consulting, where necessary, any portion of the census report, relevant part of electoral roll of the Tripura Legislative Assembly or any other authenticated record that may be of his assistance ; (ii) (a) After ascertaining the population of Scheduled Tribes in each constituency of a Municipality the District Magistrate shall prepare a Roster Register in which for one seat to be reserved for Scheduled Tribes in a Municipality he will indicate 3 (three) constituencies according to the population of Scheduled Tribe for the purpose of rotation of Scheduled Tribe reserved seats (b) Similarly, after ascertaining the population of Scheduled in each constituency of a Municipality the District Magistrate shall prepare a Roster Register in which for one seat to be reserved for Scheduled Castes in a Municipality he will indicate 3 (three) constituencies according to the population of Scheduled Castes for the purpose of rotation of Scheduled Caste reserved seat (iii) The constituencies available for reservation by rotation for Scheduled Castes and Scheduled Tribes shall be arranged in descending order according to the percentage of population of Scheduled Caste or Scheduled Tribes, as the case may be, and such constituencies shall be indicated in the Roster Register in two groups, first group for Scheduled

Tribes and second for Scheduled Caste. (iv) For the first term of election among every three consecutive terms, constituencies shall be reserved for the Scheduled Tribes from the first group and the constituencies shall be reserved for the Scheduled Castes from the second group belonging in both the cases from the lowest serial number in order to reach the sub-section (1) of Section 12 number determined under of the Act (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 constituencies reserved in earlier term, or terms of election and in the event of the shortfall of the constituencies, constituencies beginning required number of" from the lowest serial number of either first group or second group, as the case may be, shall be reserved notwithstanding that such constituencies were reserved in any earlier term, (vi) When it is ascertained from the available records that the population of Scheduled Castes or the Scheduled Tribes, as the case may be, is less than 2% of the total population a constituency of a Municipality such population of the Scheduled Castes or the Scheduled Tribes may not be taken into : or purpose of rotation of seats in the Municipality. (3) The number of constituencies to be reserved for women to the number of seats determined under sub-section (1) of Section 12 of the Act, Provided that the declaration of the constituencies to be reserved for women shall be made separately showing that not less than 1/3 (one third) of the total seats reserved for Scheduled Castes and Scheduled Tribes in a Municipality has been reserved for Scheduled Caste or Scheduled Tribe women. and not less than 1/3 of the remaining seats in a Municipality has been reserved for women in the Notification under section 12(1) of the Act. (i) For reserving the seats for women in a Municipality the constituencies except the constituencies reserved for Scheduled Castes and Scheduled Tribes shall be arranged in ascending order of seat 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. subject to the condition that the total number of seats to be reserved for women shall not exceed the number of specified in order issued under sub-section (1) of (i) (a) (b) Section 12 of the Act. For the purpose of reservation of not less than 1/3 (one third) of the Scheduled Caste and Scheduled Tribe seats for women, the following procedure shall be adopted in a Municipality when seats have been reserved both for Scheduled Castes and Scheduled Tribes. The constituencies available for reservation by rotation shall be arranged in the following order. When in a Municipality two seats are reserved for Scheduled Tribe and Scheduled Caste in the ratio of 1:1, then in the first election the seat shall be reserved for Scheduled Tribe Women, for the second election the seat shall be reserved for Scheduled Caste Women in the third election, the seat shall be reserved for Scheduled Tribe Women and for the fourth election, the seat shall be reserved for Scheduled Caste women and this procedure will continue in subsequent elections. When in a Municipality 3 (three) seats are reserved for Scheduled Caste and Scheduled Tribes in the ratio of 2:1 respectively, in the first election the seat shall be reserved for Scheduled Caste women, for the second election the seat shall be reserved for (c) (ii) (iii) Scheduled Tribe women and for the third election, the seat shall be reserved for Scheduled Caste women and thereafter some principle shall apply for subsequent. If the ratio of reservation between Scheduled Caste and Scheduled Tribes is 1:2 respectively then the point reserved for Scheduled Castes as indicated above shall be reserved for Scheduled Tribe and points reserved for Scheduled Castes as indicated above shall be reserved for Scheduled Tribes. This procedure shall continue in subsequent election also. When in a Municipality 2 (two) seats are reserved and both the seats are reserved for Scheduled Castes or Scheduled Tribe, as the case may be, then the seat having largest population of Scheduled Castes or as the case may be, Scheduled Tribes, shall be reserved for Scheduled Caste or Scheduled Tribe Women, Notwithstanding anything contained in this rules if the number of seat determined under sub-section (1) of section 12 of the Act for Scheduled Tribes and Scheduled Caste's is one only, that seat shall be reserved for Scheduled Tribe or Scheduled Caste Women as the case may be for the first term of election and there shall be no reservation for the second and third term of election. The reservation of seats for women for the second and third term of election shall be made after excluding the seats reserved on earlier term or terms for the General category women Scheduled tribe women and for Scheduled Caste Women. Provided that there shall be no bar for reservation of same seats for the women for the second and third term" 5, (5) The District Magistrate shall, by an order in writing record before publication of the draft order in form A the procedure adopted the records and documents relied upon and the findings made for the purpose of declaration of the constituencies reserved for the Scheduled Castes or the Scheduled Tribes" For rule 4 of the principal rules the following shall be substituted, namely : "4(1) Manner of publication of the order under 3 and 3A,—

The draft order in Form A and final order in Form B shall be published by the District Magistrate on such date as may be fixed by the State Government but not later than 7 (seven) weeks before the date of poll by posting the same— (a) in the Office of the Municipality to which the order relates ; (b) in the Office of the District Magistrates, Sub-Divisional Officers. and Zilla parishads of the area concerned : (c) In the Tripura Gazette and at least in one local d) in such other conspicuous places within the Municipal area as the District Magistrate may deem fit. (2) Any person affected by such order may submit any objection suggestion in writing stating the reasons thereof so as to reach in the office of the District Magistrate within 7 (seven) days from the date of such publication or within such extended period as may be decided by the District Magistrate. Provided that the persons affected by such order may submit objections or suggestions to the Sub-Divisional officers within their jurisdiction the Municipality is situated and such Sub-Divisional Officers shall forward the same to the District Magistrate & Collector for disposal of the (3) The District Magistrate shall consider objections or suggestions, if any, received by him within the stipulated period and may make suitable alteration and amendment in the draft notification. (4) The District Magistrate shall publish the order in Form B with alteration and amendment, if any, on such date or dates as may be fixed by the State Government but in any case not later than 5 (five) weeks before the date of poll by posting the same in the places where the draft orders were published under Sub-rule (1) and after publication the order shall come into force. Provided that the order 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 order in one or more places shall not invalidate the order. (5) After, rule 8 of the principal rules the following Form A Form B shall be added namely By order of the Governor Lalvoibiana Secretary to the Government of Tripura. FORM A (See rule 3, 3A and 4) ORDER Date NO. In exercise of the power conferred by rule 3 and 3A of the Tripura Municipal (Delimitation of constituencies) Rules, 1994 read with Section, 12 Tripura Municipal Act, 1994 the undersigned hereby, publish the draft of this order dividing and determining the Municipal Council, Agartala/— Nagar Panchayat into wards in accordance with the provisions of the aforesaid Act and the said rules Indicating in the Schedule below the name of the Municipality in column (1) number of members to be elected to the Municipality in column (2) number of the constituency in column (3) the extent of constituency in column (4) constituency or constituencies reserved for SCs and STs in column (5) and constituency or constituencies reserved for women in column (6) for the information of persons likely to be affected thereby. It is notified for information of all persons in accordance with rule 4 of the aforesaid rules that any person or institution or any other interested party may submit their objections or suggestions against the draft order by addressing to the undersigned at or through the SDO of the Sub-Division in which the Municipal Council/ Nagar Panchayat is situated within 7 (seven) days from the publication of this notification. The draft will be taken up for consideration after expiry of 7 (seven) days from this day and any objection or suggestion with respect thereto which may be received by the undersigned before that date shall be duly considered.

1.0 0 9 FORM B (See rule 3, 3 A and 4) Date ORDER WHEREAS sub.rule 3 and rule 3A of the Tripura Municipal (Delimitation Rules) 1994 read with Section 12 of the Tripura Municipal Act, 1994 the undersigned hereby, published the draft of constituencies (Wards) the seats reserved Per Schedule, Municipal Council Agartala _ dated 10.01.1995 for Election to the — Nagar Panchayat and in accordance With the provisions of rule of the aforesaid Rules invited objections/suggestions. of the said draft Delimitation and of reserved any, reserved seats so from any person or institution or any other interested party : AND draft Delimitation constituencies (Wards) of reservation of seats for Schedule Castes Scheduled Tribe & Women of Municipal Council, Agartala Nagar Panchayat was published in the Tripura Gazette AND WHEREAS all the objections/suggestions received in relation to the said draft within the stipulated period from — to — are considered by the undersigned for finalisation of the Delimitation of the constituencies (Wards; and reservation of seats for Scheduled Caste, Scheduled Tribe & Women, therefore- in exercise of the powers conferred by rule 3 and 3A of the Tripura Municipal (Delimitation of Constituencies) Rules, 1994 read with Section 12 of the Tripura Municipal Act, 1994, I hereby divide and determine the Municipal Council Agartala / - ————Nagar Panchayat into wards in accordance with the provisions of the aforesaid Act and the said rules indicating in the Schedule below the name of the Municipality in column (2) number of constituency in column (3) the extent of constituency in column (4) constituency or constituencies reserved for SCs and STs in column (5) and constituency or constituencies reserved for Women in column (6) of the said Schedule. 10