

UTTAR PRADESH AREA PANCHAYAT AND DISTRICT PANCHAYAT (RESERVATION AND ALLOTMENT OF SEATS AND POSTS) RULES, 1994

AI'PENDIX-I The Uttar Pradesh Kshettra Panchayat and Zila Panchayat (Reservation and Allotment of Seats and Offices) Rules, 1994 In exercise of the powers under Section 237 Of the Uttar Pradesh Kshettra Panchayat and Zila Panchayats Adhiniyam, 1961 (U.P. Act No. 33 of 1961) read with Sub-section (1) and Sub-section (3) of Section 5-A, sub-section (I) and Sub- section (3) of Section 7-A, Sub-section (I) and Sub-section (3) of Section 18-A and Sub-section (1) and Sub-section (3) of Section 19-A of the said Adhiniyam, the Governor is pleased to make the following rules: 1. Short title and commencement.—(1) These rules may be called the Uttar Pradesh Kshettra Panchayat and Zila Panchayats (Reservation and Allotment of Seats and Offices) Rules, 1994. (2) It shall come into force at once

2. Definitions.—In these rules, unless there is anything repugnant in the subject or context— (a) "Act" means the Uttar Pradesh Kshettra Panchayat and Zila Panchayats Adhiniyam, 1961; (b) "territorial constituency" in relation— (i) a Kshettra Panchayat means the territorial constituency referred to in Clause (b) of Sub-section (1) of Section 6 of the Act; and (ii) a Zila Panchayat means the territorial constituency referred to in Clause (b) of Sub-section (I) of Section 18 of the Act

3. Number of seats and offices to be reserved.—In computing the number of seats or offices to be reserved for the Scheduled Tribes, the Scheduled Castes or the Backward Classes in accordance with the provisions of Section 6-A, or Section 7-A or Section 18-A, or Section 19-A of the Act, if the remainder is no less than half of the divisor, the quotient shall be increased by one, and if the remainder is less than half of the divisor, it shall be ignored and the number arrived at shall be the number of seats or offices to be reserved for Scheduled Tribes or the Scheduled Castes or the Backward Classes, as the case may be: Provided that the number of seats or offices reserved for the Backward Classes shall not exceed twenty-seven per cent of the total number of seats or offices, as the case may be

4. Allotment of seats by rotation.—(1) Subjection to the provisions of the other sub-rules, the seats reserved in a Kshettra Panchayat or a Zila Panchayat shall be allotted to different territorial constituencies in that Kshettra Panchayat or Zila Panchayat as the case may be, in the following order— (a) women belonging to the Scheduled Tribes; I. Substituted by Noti. No. 4237/ XXXIII-I-94-260/94, dated August, 24, 1994, published in the U.P. Gazette, Extra. , part 4, dated 24th August, 1994. (149) 150 (b) (d) (e) (g) UP KSHETTRA PANCHAYAT & PANCHAYAT ADHINIYAM, 1961 the Scheduled Tribes; women belonging to the Scheduled Castes; the Scheduled Castes; ssomen belonging to Backward Classes; linekward Classes: and women, (App. I (2) It on the basis of population of the Scheduled Tribes or of the Scheduled Castes or of the Backward Classes in a Panchayat area, only one seat can be reserved for the Scheduled Tribes or for the Scheduled Castes or for the Backward Classes, as the case may be, such seat shall go to a woman belonging to the Scheduled Tribes or to the Scheduled Castes or to the Backward Classes, as the case may be. (3) If on the basis of population in a Panchayat area, a seat cannot be reserved for the Scheduled Tribes or for the Scheduled Castes or for the Backward Classes, the order mentioned in sub-rule (I) shall be so adhered to as if there was no reference in it to the Scheduled Tribes or to the Scheduled Castes or to the Backward Classes, as the case may be. 11(4) The number of seats as provided in Rule 3 shall be allotted to different territorial constituencies on the basis of population in the descending order, that is, from amongst the territorial constituencies in a Kshettra Panchayat or in a Zila Panchayat, the territorial constituency having the largest population of the Scheduled Tribes shall be allotted to them, the territorial constituency having the largest population of the Scheduled Castes shall be allotted to them and the territorial constituency having the largest population of the Backward Classes shall be allotted to them, and in the subsequent election the allotment shall be made in the aforesaid manner so however that, as far as may be, the territorial constituency allotted in the previous elections to the Schedules Tribes shall not be allotted the Scheduled Tribes, and the territorial constituency allotted to the Scheduled Castes shall not be allotted to the Scheduled Castes and territorial constituency allotted to the Backward Classes shall not be allotted to the Backward Classes: Provided that if in any election, the population of the Scheduled Tribes or of the Scheduled Castes or of the Backward Classes, can not be ascertained territorial constituency wise the descending order may be determined on the basis of number of families, in the territorial constituencies of the Scheduled Tribes or of the Scheduled Castes or of the Backward Classes, as

the case may be." Not less than one-third of the territorial constituencies allotted to the Schedule Tribes, the Schedule Castes or the Backward Classes under Sub-rule (4) 1. Sub-rule (4) of Rules 4 subs. by Noti. No. 1900/XX111-1-2010, T.C. dated 07 July, 2010. Published in U.P. Gazette, Extra., Part 4, Section (kha), dated 7 July, 2010 (w.e.f 7-7-2010). Sub-rule (5) of Rules 4 by Nod. No. 4965/ XXXIII -1-1994-260-94, dated 21 September, 1994. KSHETTRA PANCHAYAT PANCHAYAT AOHINIYAM, 1961 I App. I shall be allotted to the women belonging to the Schedule Tribes, the Schedule Castes or the Backward Classes as the case may be. Not less than one-third of the total number of territorial constituencies including the territorial constituencies reserved under sub-rule (5) shall be allotted to women, so however that the territorial constituencies having the largest population excluding the population of the Scheduled Tribes, the scheduled Castes and the Backward Classes, shall be allotted to them and in the subsequent election the allotment shall be made in the aforesaid manner so that, as far as may be, the territorial constituencies allotted to women in the previous elections shall not be allotted to women. S. Allotment of offices by rotation.—21(1) The number of offices of Pramukhs as computed in Rule 3 for the Scheduled Tribes, Scheduled Castes and Other Backward Classes of citizens shall be distributed districtwise for being allotted to the constituent Kshettra Panchayats in the following 1. 2. (a) The number of offices of Pramukhs for the Scheduled Tribes in the district shall bear, as nearly as may be, the same proportion to the number of offices of Pramukhs as computed in Rule 3 as their population in the district bears to their total population in the State. (b) The number of offices of Pramukhs for the Scheduled Castes in the district shall bear as nearly as may be, the same proportion to the total number of offices of Pramukhs in the district as their population in the Zila Panchayat bears to the total population of the Zila Panchayat, subject to the maximum of the ratio of their population in the State to the total population of the State: Provided that in the case of undistributed numbers of offices of Pramukhs as computed in Rule 3 shall be redistributed amongst only those Zila Panchayats, where the proportion of their population in the total population of the Zila Panchayats exceeds the proportion of their population in the total population of the State, in the descending order of the ratio of their population in the total population of the Zila Panchayats. (c) The number of offices of Pramukhs for the Other Backward Classes of citizens in the district shall bear as nearly as may be, the same proportion to the total number of offices of Pramukhs in the district as their population in the Zila Panchayat bears to the total population Of the Zila Panchayat : sub-rule (6) of Rules 4, subs. by Noti. No: 1900/XX111 -1-2010, T.c., dated 7 July, 2010. Published in U.P. Gazette, Extra, , part 4, Section (kha), dated 7 July, 2010 (w.e.f. 7-7-2010). Sub-rule (1) of Rule 5, subs. by Notification No. dated 10 June, 2005. Published in U.p, Gazette, Extra. , Part 4, Section (Kha), dated 10th June, 2005. UT. KSHETTRA PANCHAYAT AOHINIYAM, 1961 (App. I Provided that the number of offices of Pramukhs reserved for the Backward in district shall not exceed twenty-seven per cent of the total number of offices of Pramukhs in the district: Provided further that in the case of undistributed numbers of offices of Pramukhs as computed in Rule 3 shall be redistributed amongst only those Zila Panchayats, where the proportion of their population in the total population Of the Zila Panchayat exceeds the proportion of their population in the total population of the State, in the descending order of the ratio Of their population in the total population of the Zila Panchayat. 1(2) The number of offices of Pramukhs for the Scheduled Tribes, the Scheduled Castes and the Backward Classes, as determined in sub-rule (1) shall be allotted to different Kshettra Panchayats in the Zila Panchayat on the basis of the ratio of their population in the Panchayat area to the total population of the Panchayat area in the descending order, that is, from amongst the Kshettra Panchayats in the Zila Panchayat the Kshettra Panchayat in whose territorial area the ratio of population of the Scheduled Tribes is highest shall be allotted to them, and the Kshettra Panchayat in whose territorial area the ratio of population of the Scheduled Castes is highest shall be allotted to them and the Kshettra Panchayat in whose territorial area the ratio of population of the Backward Classes is highest shall be allotted to them and in the subsequent election the allotment shall be made in the aforesaid manner, so, however, that, as far as may be, the Kshettra Panchayat allotted in the previous elections to the Scheduled Tribes shall not be allotted to the Scheduled Tribes and the Kshettra Panchayat allotted to the Scheduled Castes shall not be allotted to the Scheduled Castes and the Kshettra Panchayat allotted to the Backward Classes shall not be allotted to the Backward Classes." 21(3) Not less than one-third of the Kshettra Panchayats allotted to the Schedule Tribes, the Schedule Castes or the Backward Classes under sub-rule (2) shall be allotted to the women belonging to the Schedule Tribes, the Schedule Castes or the Backward Classes, as the case may be. 31(4) Not less than one-third of the total number of

the offices of Pramukhs reserved for women under sub-rule (3) shall be allotted to women so, however, that the territorial areas of the Kshettra Panchayats allotted to them have the largest population, excluding the population of the Scheduled Tribes, Scheduled Castes and the Backward Classes shall be allotted to them and in the subsequent election, the allotment shall be made in the aforesaid manner so, however, that, as far as may be, the Zila Panchayat allotted in the previous elections to the Scheduled Tribes shall not be allotted to the Scheduled Tribes, the Zila Panchayat allotted in the previous elections to the Scheduled Castes shall not be allotted to the Scheduled Castes and the Zila Panchayat allotted to the Backward Classes shall not be allotted to the Backward Classes.' 21(5) Of Adhyakshas for the Scheduled Tribes, Scheduled Castes and the Backward Classes as provided in Rule 3 shall be allotted to different Zila Panchayats in the State on the basis Of the ratio Of their population in the Panchayat area to the total population of the Panchayat area in the descending order, that is. from amongst the Zila Panchayats in the State the Zila Panchayat in whose territorial area the ratio of population of the Scheduled Tribes is highest shall be allotted to them, the Zila Panchayat in whose territorial area the ratio of population of Scheduled Castes is highest shall be allotted to them, and the Zila Panchayat in whose territorial area the ratio of population of the Backward Classes is highest shall be allotted to them, and in the subsequent election the allotment shall be made in the aforesaid manner, so, however, that, as far as may be, the Zila Panchayat allotted in the previous elections to the Scheduled Tribes shall not be allotted to the Scheduled Tribes, the Zila Panchayat allotted in the previous elections to the Scheduled Castes shall not be allotted to the Scheduled Castes and the Zila Panchayat allotted to the Backward Classes shall not be allotted to the Backward Classes.' 21(6) Not less than one-third of the Zila Panchayats allotted to the Scheduled Tribes or the Scheduled Castes or the backward Classes under sub-rule (5) shall be allotted to women belonging to the Scheduled Tribes, or the Scheduled Castes or Backward Classes, as the case may be.' 31(7) Not less than one-third of the total number of the Zila Panchayats including the number of Zila Panchayats reserved for women under sub-rule (6) shall be allotted to women so however that the territorial area of the Zila Panchayat allotted to them have the largest population, excluding the population of the Scheduled Tribes, Scheduled Castes and the Backward Classes and in the subsequent election the allotment shall be made in the aforesaid manner so however, that, as far as may be, that the Zila Panchayats allotted to women in the previous elections shall not be allotted to women." 2. 3. 41(8) The offices of Adhyakshas shall be allotted in the following order— (a) women belonging to the Scheduled Tribes; Sub-rule (4), (6), (7), (8), (9) and (10) of Rule 5, subs. by Noti. No-1900/ XXIII-1-2010 T.C., dated 7 July, 2010. Published in U.P. Gazette, Extra. , Part 4, Section (kha), dated 7 July, 2010 (w.e.f. 7-7-2010). Sub-rule (4), (5), (6), (8), (9) and (10) of Rule 5, subs. by Noti. No-1900/ T.C., dated 7 July, 2010. Published in U.P. Gazette, Extra. , Part 4, Section (kha), dated 7 July, 2010 (w.e.f. 7-7-2010). Sub-rule (4), (5), (7), (8), (9) and (10) of Rule 5, subs. by Noti. No-1900/ T.C., dated 7 July, 2010, Published in U.p. Gazette, Extra., Part 4, Section (kha), dated 7 July, 2010 (w.e.f. 7-7-2010). Sub.,rule (5), (6), (7), (8), (9) and (10) of Rule 5, subs. by Noti. No-1900/ XXIII-1-2010 T.C., dated 7 July, 2010. Published in U.p. Gazette, Extra. , Part 4, Section (kh), dated 7 July, 2010 7-7-2010). (App. t (g) UT PANCHAYAT a PANCHAYAT ADHINIYAM, 1961 Scheduled Tribes; belonging to the Scheduled Castes; Scheduled Castes; women belonging to the Backward Classes; the Backward Classes; women. 2. '1(9) The provisions of sub-rule (8) shall mutatis mutandis apply to allotment of offices of Pramukhs under this rule. 21(10) The provisions of sub-rule (2) of Rule 4 shall mutatis mutandis apply to allotment of offices under Rule 5." Sub-rule (4) (5) (6) (7) (8) (9) and (10) of Rule 5, subs. by Noti. No-1900/ XXIII-1-2010 T.c., dated 7 July, 2010. Published in U.P. Gazette, Extra. , part 4, Section (kha), dated 7 July, 2010 (w.e.f. 7-7-2010). Sub-rule (4) (5) (6) (7) (8) (9) and (10) of Rule 5, subs. by koti. No-1900/ XXIII-1-2010 T-c., dated 7 July, 2010. Published in U.P. Gazette, Extra., part 4, Section (kha), dated 7 July, 2010 (w.e.f. 7-7-2010).

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