Panchayat Election – First Part

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Topics of Discussion

Reorganization of Panchayats, Delimitation and Reservation of Seats

What Are The Three Basic Ingredients Of Election



What Are The Three Basic Ingredients Of Election

- 1. Electoral Roll
- 2. Instrument of Vote / Poll
- 3. Human Resource responsible for election Poll

The RD (Panchayat) Department and the State Election Commission are two separate entities who are directly related with the Three Tier Panchayat Election.

The RD (Panchayat) Department ensures reorganization of Grams and at the same time delimitation and reservation of seats through the District, Sub divisional and Block authorities. The last Panchayat General Election was held on 27.07.2019 and next election is scheduled in the month of August, 2024.

Relevant Acts, Rules and Govt instructions

- 1. The Tripura Panchayats Act , 1993 (as amended till to date)
- The Tripura Panchayats (Delimitation of Constituencies) Rules , 1993 with Amendment , 2014 .
- 3. The Tripura Panchayats (Preperation of Electoral Rolls) Rules , 1993
- 4. The Tripura Panchayats (Conduct of Election) Rules , 1993
- 5. The General Guideline for Delimitation issued by the RD (Panchayat) Department

- 1. The reorganization has to be carried out as per TP Act, 1993.
- 2. The SS -2 of the Section -1 points out that , 'It shall extend to the whole of the State of Tripura except the Area which has been or may hereafter be declared as, or included in, a Municipality or a Notified Area under the provisions of any law for the time being in force or a Cantonment under the provisions of the Cantonments Act, 1924 and except the Tripura Tribal Areas Autonomous District'.

3. The SS-3 of the Section -3 points out that : The State Government may, after making such enquiry as it may think fit, by notification publish in the Official Gazette---

- a. exclude from any Gram any area comprised therein;
- b. include in any of a Gram any area contiguous to such Gram;
- c. divide the area of a Gram so as to constitute two or more Grams; or
- d. unite the areas of two or more Grams so as to constitute a single Gram.

3. The SS-2 of the Section -12 points out that : Every Gram Panchayat shall consist of such number of elected members , not being less than nine and not being more than fifteen as determined in accordance with such rules as may be made in this behalf by the State Government

3. The SS-1 of the Section -13 points out that : For the purpose of election of the members of every Gram Panchayat , the prescribed authority shall in the manner prescribed –

(b) Allocate to each constituency seats not exceeding two as the prescribed authority may think fit having regard to the extent of the area and population of each such constituency.

3. The sub rule 3 (iii) of Rule -3 points out that : There will be no necessity of reservation of either ST or SC if the total respective population of the Gram of each category is less than 3%.

4. There is general demand from the public for creation of new gram by curving out from existing area of the gram having more population and geographically wide, as received from various Block authorities.

5. So far it appears that 14 Blocks need reorganization of Grams attracting 39 GPs , leading to creation of 18 new GPs

Procedure of reorganization

- 1. The Block Development Officers have to carry out a field inquiry for creation/re-organization of grams thoroughly.
- 2. After that a proposal as per format has to be sent to the Directorate of Panchayat through the concerned Sub-Divisional Magistrate.
- 3. While initiating proposal for creation/reconstitution of gram, population of 5000 and above only may be taken into consideration if required.
- 4. Care should be taken to distribute the population in equal share to the new proposed and old grams.

Procedure of reorganization

- 5. The other criteria like geographical compactness, communication and natural boundaries etc. should also be considered. The variation of 10% population (upper and lower side) may be considered in exceptional cases for keeping compactness of the area and full justification shall be given for this.
- 6. It is not advisable to go for creation of new GP if the population crosses 5000 in all the cases keeping in mind various issues like construction of PB, staff availability, availability of land etc.

Re-organization – Time Table

SI. No.	Event	Period	From	То
1	Preparation works relating to re- organization process	5 days		
2	Publication of draft notification	1 day		
3	Filing Claims and objections on the draft Notification	7 days		
4	Disposal of the claims and objection	2 days		
5	Final publication of Notification of re-organized Gram	1 day		

Re-organization – Responsibility

Sl. No.	Even	Responsibil ity
1	Preparation works relating to re-organization process	BDO
2	Publication of draft notification (Format –A)	BDO
3	Disposal of claims and objections	BDO
4	Submission of report on claims and objections and disposal status (Format –B)	BDO
5	Final publication of Notification of re-organized Gram (Format –C)	BDO
6	Final report for reorganization as per disposal status of BDO (if any) (Format –D)	SDM

Reorganization – Important issues

The proposal along with necessary information as per prescribed format and a hand sketch map showing the name of paras, Sub-Villages and copy of the resolution of the affected Gram Panchayats should be prepared. The proposals should reach this Directorate within specific date positively. The proposal may be sent through special messenger with hard and soft copy.

Delimitation and Reorganization

1. As per the Delimitation Rules , the status of delimitation exits for two consecutive terms and as the last delimitation was carried out in the year 2014 , so for this election delimitation is mandatory.

2.The Delimitation also attracts as per necessity the reorganization of the Grams

Delimitation of Constituencies and reservation of seats:

SI. No.	Even	Period	From	То
1	Preparation works relating to Delimitation of Constituencies and reservation of seats	10 days		
2	Publication of draft notification	1 day		
3	Filing Claims and objections on the draft Notification	7 days		
4	Disposal of the claims and objection	3 days		
5	Final publication of Notification of delimitation of constituencies and reservation of seats	1 day		

- 1. The Delimitation of Constituencies has to be undertaken observing the provisions of the Tripura Panchayats (Delimitation of Constituencies) Rules, 1993, as amended from time to time (2014).
- 2. The District Magistrate and Collectors are the prescribed authority to notify the draft and final delimitation after hearing over claims and objections through specified Forms for respective Zilla Parishads

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3. The SDMs are the prescribed authority to notify the draft and final delimitation after hearing over claims and objections through specified Forms for respective Gram Panchayats and Panchayat Samitis within their jurisdiction.

4. The number of members of a Gram Panchayats, Panchayat Samitis and Zilla Parishad to be determined on the basis of Population of respective tier.

5. The population for determining the number of members shall be ascertained from the Register of Ordinary Residents maintained in the Grams as on 31st March, 2023.

6. The draft notification in specified Forms shall be published in some conspicuous places in the office of the--

(i) Office of the concerned DM & Collector
(ii) Office of the concerned SDM
(iii) Office of the concerned DPO
(iv) Office of the concerned ZP
(v) Office of the concerned BDO
(vi) Office of the concerned Panchayat Samiti
(vii) Office of the concerned Gram Panchayat

7. The statutory authority i.e. District Magistrate & Collector and SDM will take up the claims and objection, if any, regarding draft publication after one week from the date of publication of the draft notification relating to Delimitation of Constituencies. The claims and objections which are received on draft notification of Delimitation of Constituencies shall have to be disposed of by the statutory authority with reason and speaking order. A copy of the notification of the delimitation of constituencies in draft and a copy of the final notification of the delimitation of constituencies should be sent to the Panchayat Department in time just after publication. The claims and objections can be submitted by any person / political party etc in plain paper.

7. The statutory authority by an order in specified Form after hearing of claims and objections/suggestions, if any, publish the final Delimitation Status by posting up copies thereof in some conspicuous places in the office of ; proper notices should be issued upon the claimant / objector for hearing :

(i) Office of the concerned DM & Collector(ii) Office of the concerned SDM(iii) Office of the concerned DPO

(iv) Office of the concerned ZP

(v) Office of the concerned BDO

(vi) Office of the concerned Panchayat Samiti

(vii) Office of the concerned Gram Panchayat

Delimitation – Various Forms

SI No	Tier	Statutory Authority	Forms for Draft publication	Forms for Final publication
01	Gram	SDM	Α	A(1)
panchayat	B	B(1)		
02	Panchayat		C	C (1)
Samity	D	D(1)		
03	03 Zilla Parishad DM & Collector	Ε	E(1)	
			F	F(1)

1. The number of members shall be determined on the basis of the scale of population as prescribed in the corresponding Rules ; the population has to be determined as per Ordinary Resident Register as on 31/03/2023 as already issued by the concerned Block Development Officers.

(i) Gram Panchayat:

SI.	Population	Number of
No.		Members
1	Within 3000	9 (nine)
2	3001-4500	11 (Eleven)
3	4501-6000	13 (Thirteen)
4	Above 6000	15 (Fifteen)

(i) Panchayat Samiti:

SI. No.	Population	Number of Members
1	Within 30, 000	9 (nine)
2	30,001- 50,000	11 (Eleven)
3	50,001-80,000	13 (Thirteen)
4	Above 80,000	15 (Fifteen)

(i) Zilla Parishad:

SI.	Population	Number of
No.		Members
1	Within 1,50,000	9 (Nine)
2	1,50,001-2,50,000	13 (Thirteen)
3	2,50,001- 4,00,000	17 (Seventeen)
4	4,00,001 -6,00,000	21 (Twenty One)
5	6,00,001 -8,00,000	28 (Twenty Eight)
6	8,00,001 -10,00,000	35 (Thirty Five)
7	Above 10,00,000	40 (Fourty)

2. After determining the total number of members of a Gram, Panchayat Samiti and Zilla Parishad, reservation for Scheduled Tribes, Scheduled Castes and Women has to be made. Thereafter, the area of the Gram has be divided into constituencies and to allocation of seats has to be made to such constituencies.

2. The number of the Schedule Tribe Members and the Schedule Caste Members to be elected from among the member determined, shall made as nearly as may be, the same proportion with number of members of the Gram panchayat, Panchayat samiti and Zilla parishad as the Schedule Tribes and Schedule castes population.

3. The number of Women members to be elected 50% (fifty percent) of the total number of member to be elected. Provided that, it may be less than 50% if the particular Gram Panchayat is constituted with members in odd number according to provision after sub-section (2) and (3) of Section 14 of the **Tripura Panchayats Act, 1993 as amended.**

4. DIVISION OF A GRAM INTO CONSTITUENCIES

After determination of number of seats of members of the Gram as per scale provided in Rule 3(1) of the Delimitation of Constituencies Rules, as amended, steps are to be taken for determination of local limits of the constituencies, identification of single and double member constituencies and numbering of constituencies.

5. (a) Local limits of constituencies are to be determined by dividing the area of the Gram considering as far as practicable, be geographically compact area on the basis of number of members determined. Not exciding two seats shall be allocated to each constituency.

5. (b) Example : in case of 9 members, 4 constituencies may be made double member constituencies and one constituency may be made single member constituency, in case of 11 members, 5 constituencies may be made double member constituencies and one constituency may be made single member constituency, in case of 13 members, 6 constituencies may be made double member constituencies and one constituency may be made single member constituency, in case of 15 members, 7 constituencies may be made double member constituencies and one constituency may be made single member constituency.

6. If most of the constituencies are made double member constituencies having regard to the extent of area, population and suitability, number of constituencies will be less and, resultantly, number of polling stations, polling personnel and polling centre required will be less. This may be kept in view. However, this need not be limiting factor in delimitation of constituencies.

7. While determining the local limits of constituencies, average factor for single or double member constituencies, as the case may be, need to be taken into consideration. Average population for a single or double member constituency should roughly be in proportion to the average population per seat in the Gram Panchayat.

Name of Gram	A –GP
Total population of Gram	2835
Total No of seats	9
Average population for each seats	2835 / 9 = 315
Average population for single Member constituency	315
Average population for double member constituency	630

N.B. Average population may be followed to the extent possible.

8. NUMBERING OF THE CONSTITUENCIES:

After dividing the Gram into constituency, a chronological serial number for each of the constituency in Roman Form is to be given. Such serial number may be provided starting from constituency located in the <u>North-West</u> to <u>South-East</u> corner of the concerned Gram, maintaining clockwise direction.

Name of GP	A-GP		
No. of Constituencies	5		
No of seats	9		
Name and SI No of	A-GP –I		
Constituency	A-GP –II		
	A-GP –III		
	A-GP –IV		
	A-GP -V		

9. DETERMINATION OF NUMBER OF SEATS IN THE CONSTITUENCIES AND SERIALING.

After determination of the local limits of the Constituencies and putting serials constituencywise number of seats and putting a running serial under Indian form of international numeral are to be put maintaining chronology of serials of the constituencies.

Name of Gram	Total number of seats in the Gram	Name and serial number of the constituenci es	Total seats in the constituenc ies	Running serial number of seats in the Gram
A-GP	A-GP 9	A-GP –I	2	1,2
		A-GP –II	1	3
		A-GP –III	2	4,5
		A-GP –IV	2	6,7
		A-GP -V	2	8,9

- 10. SDMs may use the earlier delimitation of constituencies done for 2014 general elections. Wherever required in exceptional circumstances changes may be made following the prescribed rules.
- 11. The State Government has notified the boundary of each Gram which has already been shared with the SDMs and BDOs shall be taken into consideration during the time of exercise of the Delimitation of constituencies.
- 12. Population of the Grams is required to be noted. The population figure will be available in the Register of Ordinary Residents(ROR) of the concerned Grams.

- **13.** Not more than two seats should be allotted in a constituency. A Hand sketch Map for each constituency of the GRAM has to be prepared.
- 14. Number of seats reserved for ST & SC will be in proportion to the population in the Gram rounded off to the next whole number.
- 15. Seats having maximum population of ST & SC may be listed out. First seat for ST will have to be fixed following population in descending order up to the number of seats reserved for them. Afterwards similar exercise for reserving SC seats may be done.

16. For reserving seats for women starting from seat no.1 in ascending order up to the maximum number of seats may be fixed. In case of 9 member Gram Panchayat number of seats reserved for women will be 4, considering the provision In the Explanation Serial No(3) to sub rule (4) of Rule 3, as inserted by second Amendment of Rules," For the purpose of determination of number of seats to be reserved under sub- rule (4), while calculating the figure, only the whole integers shall be taken into account, ignoring any figure after the decimal point.

Name of Gram	A-GP
Total Population	2835 (ST – 975 , SC -780, UR - 1080)
Total No of seats	09
Average population for each seat	2835/9=315
Average population for single member Constituency	315
Average population for double member constituency	630
Proportionate population of the SC , ST of the GP	ST = 34.39%, say, 34% SC = 27.51%, say, 28% What will be reservation status of ST, SC, UR and Women ?

Name of Gram	A-GP
Total Population	2835 (ST – 975 , SC -780, UR - 1080)
Total No of seats	09
Average population for each seat	2835/9=315
Average population for single member Constituency	315
Average population for double member constituency	630
Proportionate population of the SC , ST of the GP	ST = 34.39%, say, 34% SC = 27.51%, say, 28% Reserve for ST - 3, SC - 3, UR -3 Women Reserve - 4

Constituency/seats, category wise population of the Gram Panchayat <u>alongwith Reservation status.</u>

Seat No.	Population	Constituency	ST	SC	UR	ST%	SC%	UR%
1 2	633	I	187	95	351	29.5 %	15%	55.45%
3	317	Ш	75	100	142	23.6%	31.5%	44.79%
4 5	645	III	200	180	265	31%	27.9%	41%
6 7	640	IV	213	210	217	33.2%	32.8%	33.90%
8 9	600	V	300	195	105	50%	32.5%	18.16%
Total	2835		975	780	1080	34.39%	27.51%	38.10%

Now, the total seats shall be divided in to two parts having regards to its odd number seats and even number seats. For First General Election, reservation to be made from odd number seats and for second term the even numbers seats to be considered for completion of full rotation.

Constitu		Odd	Even
ency No	Seat No	Number	Number
A.GP -I	1,2	1	2
A.GP -II	3	3	
A.GP -III	4,5	5	4
A.GP -IV	6,7	7	6
A.GP -V	8,9	9	8

Now, the total seats shall be divided in to two parts having regards to its odd number seats and even number seats. For First General Election, reservation to be made from odd number seats and for second term the even numbers seats to be considered for completion of full rotation.

Constitu	Soot No	Odd	Even
ency No	Seat No	Number	Number
A.GP -I	1,2	1 (ST)	2 (SC)
A.GP -II	3	3 (SC)	
A.GP -III	4,5	5(ST)	4
A.GP -IV	6,7	7 (SC)	6
A.GP -V	8,9	9(ST)	8

- 16. As the reservation percentage for women in Gram Panchayat has been amended, the reservation of seats for women has to be done afresh starting with Seat No. 1
- 17. Seat for women reservation has to be calculated starting from the first seat and thereafter every alternative seat having regard to the provision of the Act for 50% reservation of women.

- 18. In the second proviso after clause (g) of 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, having regard to the number of seats to be reserved for women.
- 19. The same procedure shall be applicable in case of reservation of seats for scheduled Tribe and Scheduled Caste women. In this case all reserved seats for Scheduled Tribes and Scheduled Castes shall be taken together for reservation of seats for the Scheduled Tribe and Schedule Caste women.

Constituency No	Reserve Seat altogether	Un-reserve seat
A. GP -I	1 (ST)	
	2(SC)	
A. GP -II	3(SC)	
A. GP -III	5 (ST)	4
A. GP -IV	7(SC)	6
A.GP-V	9(ST)	8

Constituency No	Reserve Seat altogether	Un-reserve seat
A. GP -I	1 (ST) (W)	
	2(SC)	
A. GP -II	3(SC) (W)	
A. GP -III	5 (ST)	4(W)
A. GP -IV	7(SC) (W)	6
A.GP-V	9(ST)	8

More Example

A Gram namely Manik Nagar Gram under Rahimpur RD Block having population 2950 covering ST- 975, SC- 780, and UR - 1195 with total number of members 9.

Total	ST	ST	ST	SC	SC	SC	UR	UR	UR
Popul	Popu	%	Se	Pop	%	se	Popul	%	Se
ation	latio		ats	ulat		at	ation		ats
	n			ion					
2950	975	33.	3	780	26.	2	1195	40.	4
		05			44			50	

Consti tuenc	Seat no	Populati on	Category wiseCategory wisepopulationpopulation					
y no		against each constitu ency	ST	SC	UR	ST	SC	UR
Ι	1,2	670	102	98	470	15.22%	14.62%	70.17%
II	3	322	110	95	117	34.16%	29.50%	36.33%
III	4,5	660	197	235	228	29.84%	35.60%	34.54%
IV	6,7	645	195	145	305	30.23%	22.48%	47.28%
V	8,9	653	371	207	75	56.81%	31.69%	11.48%
		2950	975	780	1195	33.05%	26.44%	40.50%

1 st term of electi	on	2 nd term of election		
1 st group (odd	2 nd group	1 st group(2 nd	
number seat)	(even	evennumbe	group(
	number	r seat)	oddnum	
	seat)		ber seat)	
1	2	2	1	
3	4	4	3	
5	6	6	5	
7	8	8	7	
9			9	

Now before reserving seats for ST or SC category against any particular seat in any constituency it will have to be ensured that percentage of population of that category i.e. ST or SC as the case may be does not fall below 3% of that particular category against the total population in that particular constituency of that particular category.

More over before reserving seat/seats against ST or SC category the reservation must be started firstly from ST category starting from 1st seat and alternate way. Following after completion of ST reservation, SC reservation should be started from the 1st group descending order in each cases viz - 1st and 2nd term of election provided 3% criteria is fulfilled . If in 1st group seat is not available for a particular category due to non-fulfilment of 3% criteria or any other reasons as per prevailing provision of Rules/Acts, seat/seats may be reserved from even number group for any category i.e. for ST or SC.

1 st term of election		2 nd term of election	
1 st group	2 nd group	1 st group	2 nd group
(odd)	(even)	(even)	(odd)
1	2	2	1
3	4	4	3
5	6	6	5
7	8	8	7
9			9

1 st term of e	lection	2 nd term of	of election	Remarks	
1 st group (odd)	2 nd group (even)	1 st group (even)	2 nd group (odd)	1 st term	2 nd term
1 (ST)	2	2(ST)	1(SC)		As reservation has not been completed
3(SC)	4	4(ST)	3	-	in 1 st group i.e. even
5(ST)	6	6(ST)	5		group odd seat i.e. no. 1 required to be
7(SC)	8	8(SC)	7	number seats	reserved from odd
9(ST)			9	in 2 nd row need not be required to bring under reservation for ST and SC category	

1 st term of election		2 nd term of election	
reserved	unreserved	reserv	unreserved
Seats	seats	ed	seats
		Seats	
1(ST)	2	1(SC)	3
3(SC)	4	2(ST)	5
5(ST)	6	4(ST)	7
7(SC)	8	6(ST)	9
9(ST)		8(SC)	

1 st term of	1 st term of election		election	Remarks
reserved	unreser	reserved	unreserved	
Seats	ved	Seats	seats	
	seats			
1(ST)(W)	2(W)	1)(SC)(W)	3(W)	Reservation made from
3(SC)	4	2(ST)	5	1 st seat, descending order,
5(ST)(W)	6(W)	4(ST)(W)	7(W)	alternate way in each category for each term of
7(SC)	8	6(ST)	9	election i.e. for reserved
9(ST)		8(SC)		as well unreserved and
				ignoring fraction figure i.e
				figure after point.

Exception)If all the seats in a particular Gram Panchayat are fallen either in reserved or unreserved category the last seat may not be fallen under women reservation in any term of elections viz:- 1st as well as 2nd term.

Exception) If in a particular term of election only one seat is there in any group either in reserved (for ST or SC) or unreserved category in that case single seat will be reserved for woman for the first term of election and not be reserved for 2nd term of election for woman.

Exception)If all the seats in a particular Gram Panchayat are fallen either in reserved or unreserved category the last seat may not be fallen under women reservation in any term of elections viz:- 1st as well as 2nd term.

Exception) If in a particular term of election only one seat is there in any group either in reserved (for ST or SC) or unreserved category in that case single seat will be reserved for woman for the first term of election and not be reserved for 2nd term of election for woman.

General Thumb Rule for Delimitation

- 1. The population criteria should be 3%
- 2. First Seat should be ST if there remains no bar
- 3. First seat should be Woman in all cases
- 4. Last seat should not be Woman
- 5. Alternate seat to be reserved for all category in first round of exercise

Women reservation – important points

- 1. Act says , 50% reservation should be for woman
- 2. Rule says , The numerical fraction to be ignored
- 3. Now Rule also says , 50% of the reserved and unreserved category separately to be reserved for woman
- 4. If there remains contradiction between Act and Rule , the Rule shall be followed .

Any Question Please ----

Thank You