

**STATE ELECTION COMMISSION, MAHARASHTRA**

No. SEC/1095/101/CR-20/PR  
 New Administrative Building,  
 Opp. Mantralaya, Madam Cama Road,  
 Mumbai 400 032.  
 Dated the 18th January 1995.

To,

The Commissioner,  
 All Revenue Divisions.  
 All the Collectors.

**Subject : General Elections to Village Panchayats.**

In continuation of the letter No. SEC-1095/101/PR, dated the 16th January 1995 of the State Election Commission the position with regard to reservation of seats is clarified as under : —

In the example given in point (ii) of paragraph and reply given thereof in paragraph 2(b) of the said letter, it will be noticed that, having regard to the total population of the villages and the population of the Scheduled tribes in each of those villages, the seats to be reserved shall, if they are required to be reserved (on the assumption that the villages are not those falling within the Schedule Areas), be seats as worked out below :—

$$(a) \frac{776 \times 7}{980} = 5,54, \text{ that is to say, } 6 ;$$

$$(b) \frac{1281 \times 7}{1385} = 6,47, \text{ that is to say, } 6 ;$$

The reservation of seats for persons belonging to the category of Backward Class of citizens will have to be considered having regard to the provisions of rule 4A of the Bombay Village Panchayats (Number of members, Divisions into Wards and Reservation of Seats) Rules, 1966. Sub-rule (2) of rule 4A provides that after allotment of seats for the Scheduled Castes or, as the case may be, the Scheduled Tribes, if number of seats left is less than the number of seats required to be reserved for the persons belonging to the category of Backward Class of citizens, then the available number of seats shall be so allotted to such category that at least one seat, as far as practicable, if left unreserved in each ward. Therefore, although the seats to be reserved for Backward Class of citizens at 27 per cent of the total number of 7 seats comes to 2 seats, the remaining one seat shall having regards to this provision, be a general seat, and there shall be no reservation of any seat for Backward Class of citizens.

2. In the context of the above classification, sub-para (b) of paragraph 2 of the above mentioned letter of the Commission shall stand modified to the extent indicated in paragraph 1 above.

3. The Commission is not aware as to whether the Maharashtra Act No. LII of 1994, by which the Bombay Village Panchayats Act, 1958 and the Bombay Village (Division into Wards and Reservation of Seats for Women, Scheduled Castes and Scheduled Tribes) Rules, 1966, the Bombay Village Panchayats Election Rules, 1959 etc. Have been amended, is translated into Marathi and its translation is published in the *Official Gazette*. However, the Marathi version of the provisions contained in the Maharashtra Act LII of 1994 is available from the Bill as reported by the Joint Committee. The Bill as reported by the Joint Committee has been passed by both Houses of the State Legislature in the same form and contends as was reported by the Joint Committee. Copy of the report, in Marathi, if the Joint Committee containing the said provisions is sent herewith for information and guidance.

4. The reservation of seats for the Scheduled Castes and Scheduled Tribes is to be made on the basis of the population and those seats are to be allotted in accordance with the provisions made in rule 4 of Bombay Village Panchayats (Number of members, Divisions into Wards and Reservation of Seats) Rules, 1966. But the reservation of seats for women belonging to the Scheduled Castes, or as the case may be, Scheduled Tribes, from amongst the seats reserved for the Scheduled Castes and Scheduled Tribes are to be allotted by drawing of lots. Similarly, the seats to be reserved for the persons belonging to the category of Backward Class of citizens including the seats reserved for women of that category are to be allotted by drawing of lots. So also, the seats reserved for women from general seats are to be allotted by drawing of lots. The procedure for drawing lots is laid down in paragraph 7 of letter No. SEC-1094/155/1994, dated the 26th October 1994 from the State Election Commission. While drawing the lots it will be necessary to draw the minutes of the Meeting held for the purpose. With a view to facilitating drawing of such minutes of the meeting in details, the Commission has attempted to design draft format of the minute, copy of which is forwarded herewith for information and guidance.

5. The Collectors will no doubt prepare sufficient number of copies of the Bill, in Marathi, as in the report and also of the Format and forward the same to all the Tahsildars and other concerned officers and employees in the districts who are expected to deal with the elections to the Village Panchayats.

D. N. CHOUDHARI,  
State Election Commissioner,  
Maharashtra.  
(Tel. Nos. 2023437/2026329)