

Government of West Bengal
Department of Panchayats & Rural Development
Jessop Building (1st Floor), 63, N.S. Road Kolkata-700 001

Memo No. 5549/ PN/O/1/1E-6/12 (Part-1)

Dated: 19.10.2012

From: D.K.Pal
Joint Secretary to the
Government of West Bengal

To: The Secretary,
West Bengal State Election Commission
18, Sarojini Naidu Sarani, Kolkata-700017

Sub: **Clarification regarding reservation of seats for the Scheduled Castes and the Scheduled Tribes up to one-half of the total no. of seats in any Gram Panchayat**

Ref: **No.1690-SEC/1D-123/2011 dated 16.10.2012**

Sir,

With reference to the above, I am directed by order of the Governor to clarify the issues raised in your letter as under:

Issue raised	Clarification
1. What are the norms to be followed to reduce the proportion for reservation of seats for the Scheduled Castes and the Scheduled Tribes if figures following the principle of proportionate reservation for reserving the seats for the Scheduled Castes and the Scheduled Tribes exceed one-half of the total number of seats in any Gram Panchayat?	<p>1. Kind attention is drawn to 4th proviso to clause (e) of sub-rule (1) of rule 22 of the West Bengal Panchayat Elections Rules, 2006 as amended read with 4th proviso of sub-section (2) of section 4 of the West Bengal Panchayat Act, 1973 and the second proviso to section 2B of the West Bengal Panchayat Elections Act, 2003 as amended up to date. Therefore, this department is of the view that the norms to be followed in this regard will be best understood only by the following illustrations.</p> <p>Illustration -1: Suppose in a Gram Panchayat, a) no. of members determined is 20. b)SC population is 30% c) ST population is 40%</p> <p>A. Now the first step of calculation is to arrive at the figure which may be used for reserving the seats for the SC and ST following the principle of proportionate reservation.</p> <p>i) Figure for reserving the seats for SC will be $30/100 \times 20 = 6$</p>

- ii) Figure for reserving the seats for ST will be $40/100 \times 20 = 8$

B. Second step

- i) No. of seats to be reserved for SC and ST, taken together, cannot exceed 10 in this case i.e., one-half of the total number of seats.
- ii) Figure for reserving the seats for SC and ST arrives at $(6+8)=14$.
- iii) Thus the figure to be reduced to match the seats to be reserved for the SC and ST is $(14-10)=4$

C. Third step

- i) Percentage of SC is 30%.
- ii) Percentage of ST is 40%
- iii) Proportion of SC : ST is 30:40 i.e., 3:4

D. Fourth step

- i) Thus, the figure to be reduced in respect of SC is $3/7 \times 4 = 1.71$
- ii) The figure to be reduced in respect of ST is $4/7 \times 4 = 2.28$

(Here attention is drawn to explanation 1 of sub-rule (1) of rule 22. According to it, all figures for calculation shall be taken up to the second place of decimal ignoring any digit after the second place of decimal altogether and this will be followed up to this stage.)

E. Fifth step

Now, the total no. of seats to be reserved

- i) For SC: $(6-1.71)=4.29$ i.e., 4
- ii) For ST: $(8-2.28)=5.72$ i.e., 6

(Here the attention is drawn to explanation II of sub-rule (1) of rule 22. According to it, for the final stage of calculation for arriving at the number of seats to be reserved, the digit in the second place of decimal, if any, shall be totally ignored, and the whole number in figure obtained shall be raised by one if the digit at the first place of decimal is not less than five while ignoring any digit below five at the first place of decimal)

- F. Thus the total no. of seats to be reserved** for the SC and the ST taken together arrives at 10 which is one-half of the total number of seats of the Gram Panchayat.

Illustration -II: Suppose in a Gram Panchayat, a) no. of members determined is 12. b) SC population is 43.2% c) ST population is 32.1%

A. **Now the first step** of calculation is to arrive at the figure which may be used for reserving the seats for the SC and ST following the principle of proportionate reservation.

iii) Figure for reserving the seats for SC will be $43.2/100 \times 12 = 5.18$

iv) Figure for reserving the seats for ST will be $32.1/100 \times 12 = 3.85$

B. Second step

iv) No. of seats to be reserved for SC and ST, taken together, cannot exceed 6 in this case i.e., one-half of the total number of seats.

v) Figure for reserving the seats for SC and ST arrives at $(5.18 + 3.85) = 9.03$

vi) Thus the figure to be reduced to match the seats to be reserved for the SC and ST is $(9.03 - 6) = 3.03$

C. Third step

iv) Percentage of SC is 43.2%.

v) Percentage of ST is 32.1%

vi) Proportion of SC : ST is 43.2:32.1

D. Fourth step

iii) Thus, the figure to be reduced in respect of SC is $43.2/75.3 \times 3.03 = 1.73$

iv) The figure to be reduced in respect of ST is $32.1/75.3 \times 3.03 = 1.29$

(Here attention is drawn to explanation 1 of sub-rule (1) of rule 22. According to it, all figures for calculation shall be taken up to the second place of decimal ignoring any digit after the second place of decimal altogether and this will be followed up to this stage.)

	<p>E. Fifth step Now, the total no. of seats to be reserved iii) For SC: $(5.18-1.73)=3.4$ i.e., 3 iv) For ST: $(3.85-1.29)=2.5$ i.e., 3 (Here the attention is drawn to explanation II of sub-rule (1) of rule 22.) F. Thus the total no. of seats to be reserved for the SC and the ST taken together arrives at 6 which is one-half of the total number of seats of the Gram Panchayat.</p>
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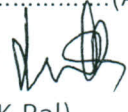
Yours faithfully,

sd/
(D.K.Pal)

Memo No.5549/1(18)/ PN/O/1/1E-6/12 (Part-1)

Dated: 19.10.2012

Copy forwarded for kind information to the District Magistrate.....(All)


(D.K.Pal) 19/10/12