

**The Tripura Tribal Areas Autonomous
District Village Committee
(Election of Office Bearers) Rules 2006**

**TTAADC
Khumulwng : West Tripura**

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**TRIPURA TRIBAL AREAS AUTONOMOUS DISTRICT COUNCIL
OFFICE OF THE CHIEF EXECUTIVE OFFICER
KHUMULWNG : WEST TRIPURA.**

No.F.40/ADC/VDC/05/P.II/3390

Dated, 2nd March, 2006.

NOTIFICATION

The following Rules which have been made by the Executive Committee of the Tripura Tribal Areas Autonomous District Council are hereby published in the Tripura Gazette for general information.

**(G. Debnath)
Principia Officer (Law)
TTAADC, Khumulwng**

TRIPURA TRIBAL AREAS AUTONOMOUS DISTRICT COUNCIL

In exercise of the powers conferred by sub-section (2) and (3) of section 4 read with section 40 of Tripura Tribal Areas Autonomous District Council (Establishment of Village Committee Act) 1994, Executive Committee here by makes the following Rules namely:

1. (1) Short title and commencement :

These rules may be called the Tripura Tribal Areas Autonomous District Village Council (Election of office Bearers) Rules, 2006.

(2) They shall come into force on and from the date of publication in the official gazette.

2. (a) Definition :

Act means Tripura Tribal Areas Autonomous District Council (Establishment of Village Committee) Act, 1994.

(b) "Form" means: Form appended to these rules.

(c) "Section" means: Section of the Act.

3.The expression used in these rules, but not defined, shall have the same meanings assigned to them respectively in the Act.

4.Tripura General clauses Act, 1996 shall apply for interpretation of these rules as it applies for the interpretation of an Act of the Tripura Tribal Areas Autonomous District Council.

5. Rotational allotment of reserved seats :

Allotment of reserved seats for the post of Chairman of Village Committee shall be done in the following manner namely:

(1) Seats shall not be allotted for S.T. or S.C. in the office of the Chairman in a village Committee unless at least one seat has been reserved for Schedule Tribes or Schedule Caste in that Village Committee as the case may be.

(2) After working out total number of seats of offices of the Chairman in a Zone, all the villages shall be arranged in the order of Roman alphabet. Thereafter, all the villages shall be numbered in ascending order. And then reservation in the office of the Chairman shall be made in the following order as far as practicable.

(i) Firstly the required numbered of offices of village committee chairman shall be allotted against S.C. category in ascending order from the arrangement done in sub-rule (2) of this rule excluding the villages as has been indicated in sub-rule (1).

(ii) Secondly the required number of offices of Chairman shall be allotted against S.T. category in ascending order from the arrangement done in sub-rule (2) of this rule excluding the offices already reserved for S.C. category.

(3). In the next general election reservation in the office of the Chairman for S.C category shall be made from the next available villages in ascending order. Likewise reservation in the office of the Chairman shall be made for S.T. category. The same process of rotation shall continue in succeeding elections.

(4). Allotment of reserved seats for Women in the office of the Chairman in Village Committees shall be done in the following manner: -

(i) After working out total number of offices of the Chairman in a Sub-Zone, all the villages in that Sub-Zone shall be arranged in the order of Roman alphabet. Thereafter, all the Villages shall be numbered in ascending order.

(ii) Reservation for Women in the office of the Chairman shall thereafter be made in every first and then every third seat from the arrangement made in clause (i) of Sub-Rule (4) of Rule 5. In the second general election the reserved seats for Women shall rotate by allotting second and then every third seat commencing from the second seat. Thus, the rotation of seats for Women shall be made by way of allotting the first and then the second seat. Thereafter every third seat shall be allotted commencing from first or as the case may be the second seat.

Provided that the rotational allotment shall be made only from those Village Committees which has at least one elected women member.

Provided further that if there is no women member available to that category for which the office of the Chairman is reserved in a village, the reservation for women shall shift to the next available village in ascending order on exchange basis to be taken into account for determining reservation in the next general election.

6. Allotment by rotation done in the aforesaid manner shall be final and binding on all.

7. Notwithstanding anything contained in the foregoing provisions of these Rules, the Principle of rotation for the purpose of reservation in the offices of Chairman's shall commence from the first General Election and the roster for reservation by rotation shall continue for three successive terms to complete the full rotation unless the Executive Committee, for reasons to be recorded in writing, by notification, directs fresh commencement of the rotation at any stage excluding the earlier term or terms of Elections from the operation of the rotation.

8 Election of Chairman and Vice Chairman:

(1). The Zonal Development Officer of a concerned Zone shall communicate to the Secretary of a Village Committee, the date and time for convening the first meeting of that Village Committee. For the purpose, the Secretary shall give a written notice of first meeting in Form 1 to all members as far as practicable three days before such meeting. The Members shall take oath before the meeting and elect the Chairman and Vice Chairman in the meeting. The Secretary to the Village Committee shall administer oath to the members and preside over the meeting.

(2). Simple majority of the elected members of a Village Committee shall form the quorum for the first meeting. The first meeting shall be held after the members present have taken oath. If there is no quorum for the first meeting the

Secretary shall adjourn the meeting and submit a report to the Zonal Development Officer. The adjourned first meeting shall be convened within 10 (ten) days by the concerned Secretary in the same manner as in the case of first meeting.

(3). The Secretary to the Village Committee shall, after taking of oath is over and immediately after the commencement of the meeting call upon the members present to propose the names of the candidates for election of the Chairman of the Village Committee. One member only shall be required to propose name of a candidate. The Secretary shall record the name of each candidate proposed, name of his party if any, together with the name of the proposer and name of his party. He shall reject a proposal: -

I. If the seat is reserved, but the proposal does not conform to reservation requirement;

II. He has finalized if the proposal has been made after the list of candidates in Form 2. If the candidate, whose name is proposed, is absent, the proposer shall submit the consent paper of the candidate to the Secretary in Form-3.

(4). If only one candidate is proposed, the Presiding Officer shall in Form-4 declare him to be duly elected Chairman of the Village Committee. If more than one candidate have been proposed, the Presiding officer shall cause to be prepared a list of candidate in Form -5 and ask the members to cast their votes in favour of their chosen candidate by showing hands. The Presiding Officer shall call out names of candidates one by one serially as arranged in Form-5 in Bengali alphabetical order and record the number, and names and political party, if any, of the members who have raised their hands in favour of a candidate. He shall obtain signature of the members who raised hands. No member shall cast more than one vote. If any member casts more than one vote, all of his votes shall be liable to be rejected. If any Member abstains from voting, it shall be recorded in Remarks Column of Form -5 against the name of the members by the Presiding Officer.

After completion of vote the Presiding Officer shall, in Form -4 declare the candidate who has secured the largest number of votes to be duly elected Chairman of the Village Committee. In case of equal number of votes being recorded in favour of two or more candidate the Presiding Officer shall decide the result of the elections by lot in such a manner as the Presiding Officer shall deem fit and thereupon the candidate in whose favour the lot falls shall be deemed to have received one additional vote and shall be declared to be duly elected as Chairman of the Village Committee.

9. Election of Vice Chairman:

Immediately after the election of the Chairman, the election of Vice Chairman be held in the same manner as provided in sub-rule (3) and (4) of Rule 8.

Provided that for the office of the Vice Chairman there shall be no reservation.

10. Certificate of election :

(1) The Presiding Officer shall forward the names of the Chairman and Vice Chairman duly elected to the Zonal Development Officer who shall grant a Certificate of Election in Form - 6 to the duly elected Chairman and Vice Chairman and thereafter send the names to the Chief Executive Officer to publish their names in the official Gazette.

(2) The zonal development officer shall retain all papers relating to the election of the Chairman and Vice- Chairman of a Village Committees for a period of six months from the date of declaration of result which shall, there after be destroyed unless otherwise directed by the Executive Committee.

11. Oath of allegiance to be taken by the Chairman and vice Chairman:

(1). Notwithstanding anything contained in the Indian Oaths Act, 1873 (X of 1873), every person who is elected as Chairman or Vice-Chairman shall before entering upon his office make and subscribe, an oath or affirmation of his allegiance to the Constitution of India. A person authorized by the concerned Zonal Development Officer on a date, place and time to be fixed by the concerned Zonal Development Officer shall administer the Oath. The oath or affirmation shall be in the following form, namely -

" I Shri/Smt/..... Having been elected a Chairman of the... Village Committee do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will faithfully discharge the duties upon which I am about to enter.

(2). Any person who having been elected as Chairman or Vice Chairman fails to make within three months from the date of election to such office the oath or affirmation as laid down in the sub-rule (1) of this Rule, shall cease to hold such office and his seat shall be deemed to have become vacant and casual vacancy shall be deemed to have occurred in the office of Chairman or Vice Chairman, as the case may be, on the date of expiry of three months which shall be filled up in the manner prescribed in this rules unless the delay is condoned by the Executive Committee for any special reason.

12. Casual Vacancy:

As soon as may be, but not later than (sixty days) from the date of any casual vacancy in the office of the Chairman or Vice-Chairman for reason specified in section 16 and section 17, the Secretary shall convene a meeting of all the members of such Village Committee for the election of its Chairman or, as the case may be, the vice-chairman in the same manner as provided in the rule 6.

13. Procedure to deal with question regarding dis-qualification on ground of defection:

(1) In any meeting of a Village Committee, where vote is taken for election or for any other purpose, the Secretary shall, if his attention is drawn that any member has voted or abstained from voting contrary to the direction of the political party to which he belongs and thereby has earned disqualification under section 7, record the facts in the Remarks Column of the record of proceedings of the meeting, obtain clarification from such member and then refer the question to the Zonal Development Officer in Form 6A .

(2) If the Village Committee received a written information from a political party or from a member that, the member has voluntarily given up the membership of the party or the member having been elected otherwise than as a member of a political party has joined a political party, the Chairman or the Vice-Chairman shall refer the question to the Zonal Development Officer to decide whether such member has earned disqualification under section 7.

(3) Every such member who is alleged to have earned disqualification by reason of voting or abstaining from voting contrary to the direction of his political party, may submit letter or prior permission or condonation to the concerned Zonal Development Officer, within thirty days from the date of voting and such authority shall take up the question of disqualification only after expiry of the said period of thirty days and decide the same within fifteen days from the expiry of the said period of thirty days.

(4) If the authority, as aforesaid, is satisfied on the basis of the report of the Secretary and after making such enquiry as he may consider necessary that any

such member has become disqualified under Section 7, record his decision, communicate it to the Village Committee concerned, and make declaration in Form 6B, that the member has ceased to be the member of the Village Committee.

14. Casual Vacancy in the office of the Chairman and Vice-Chairman:

Whenever a vacancy occurs in the office of the Chairman of a Village Committee by reason of removal, resignation, death or otherwise, the Vice-Chairman shall perform and discharge the functions and duties of the Chairman till a new incumbent in the vacant office is elected:

Provided that when such office of the Chairman of the Village Committee is reserved for Scheduled Tribes, Scheduled Castes or Women and there is no eligible candidate for election to that office, the Vice-Chairman shall continue to discharge the duties and perform the functions of the Chairman for the un-expired term of the office till such members are elected through by-election.

15. Disputes relating to the validity of the Election of Chairman & Vice-Chairman:

(1) Any dispute relating to election to the office of Chairman or Vice-Chairman of a village Committee shall be decided by the concerned Zonal Development Officer.

(2) The authority, as aforesaid, shall give notice to the contending parties, call for all the records regarding the election in dispute, give the parties an opportunity of being heard in person and decide the dispute within a period of sixty days from the date of raising the dispute.

(3) Notwithstanding anything herein contained, pendency of the dispute shall not dis-entitle the incumbent declared to be elected to continue in his office.

16. Temporary appointment of Chairman & Vice-Chairman:

The Zonal Development Officer shall, when both Chairman and Vice-Chairman are unable to act, temporarily appoint from among the members of the Village Committee to act as such, until the Chairman or Vice-Chairman is elected or until the Chairman or Vice-Chairman resumes office, as the case may be.

17. Removal of defects if any by the Executive Committee:

- (1) The Executive Committee may issue such general or special direction as may, in its opinion is necessary for the purpose of giving effect to these rules.
- (2) If any difficulty arises in giving effect to the provisions of these rules, the Executive Committee may, as occasion requires, by order, do anything, which appears to it to be necessary for the purpose of removing the difficulty.

(G,Debnath)
Principal Officer(Law)
TTAADC, Khumulwng.

FORM-1.

NOTICE FOR FIRST /FIRST ADJOURNED MEETING.

Notice is hereby given that the first meeting of the..... village Committee shall be held on the date, place and time specified below for the members to take oath and to elect the Chairman (which is reserved for scheduled Castes/Scheduled Tribes or Scheduled Caste Women or Scheduled Tribes Women or Women) and the Vice Chairman.

Shri(designation).....

Who is a competent authority as specified by the Executive Committee to administer oath vide Notification, No.....dated.....is hereby nominated to administer oath and to preside over the meeting.

All members of the Village Committee requested to attend.

DATE

PLACE

TIME

Date:

Place:

SECRETARY TO THE VILLAGE COMMITTEE

* Strike out which is not applicable.

ELECTION OF CHAIRMAN/ VICE CHAIRMAN OF -----

List of candidate and their proposer.

Sl.No.	Name of the Candidates & party name, if any	Names of the proposer & party name, if any.
1.	2.	3.

Date:

Secretary to the village committee

Place:

Name & Designation-----

* Strike out which is not applicable.

FORM - 3.

CONSENT PAPER.

Election of * Chairman / * Vice- Chairman.....

..... Village Committee.

I, Shri/ Smt....., a Member of

..... Village Committee is hereby express my consent to be a candidate in the election of the*Chairman or the *Vice-Chairman of the said Village Committee.

Date:

Signature of Candidate

Place:

Member..... Village Committee.

* Strike out which is not applicable.

FORM - 4.

Form the declaration of result of * contested / uncontested election in the office of Chairman (Which is reserved for Scheduled Castes / Scheduled Tribes, or Scheduled Caste Women/Scheduled Tribes Women/Women)/vice Chairman of village committee.

In pursuance of the provision of sub-rule (4) of Rule 6 of the TTAADC(Election of office bearers) Rules,2005, Shri /SmtiMembers

.....village committee is hereby declared as the duly elected

*Chairman / *vice Chairman ofvillage committee of.....

Date :

Signature of the Secretary

Place :

(Name & Designation of Presiding Officer)

*Strike out which is not applicable.

Form - 5.

List of contesting candidates and number of votes scored by them for election of * Chairman (which is reserved for Scheduled Castes/ Scheduled Tribes or Scheduled Caste women or Scheduled Tribes Women or Women)/Vice Chairman.

Sl No.	Name of Candidates and party if any.	Number of votes secured.	Name of members who cast their votes by raising hands in favour of the candidates and party, if any.	Signature or thumbs impression of members	R E M A R K S.
1	2	3	4	5	6

Date :

Signature of Secretary
Name and Designation.

Place :

* Strike out which not applicable.

CERTIFICATE OF ELECTION.

Certified that Shri/Smt.....

.....has been duly elected as *Chairman /*Vice Chairman of.....

.....Village Committee in the meeting of the said Village Committee

held on.....at.....and in token thereof, I have granted to him/her this Certificate of Election.

Date :

Zonal Development Officer.

Place :

.....Zone.

* Strike out which is not applicable.