



# புதுச்சேரி மாநில அரசிதழ்

## La Gazette de L'État de Poudouchéry The Gazette of Puducherry

### PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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No. }	Puducherry	Thursday	7th	March	2019

#### GOVERNMENT OF PUDUCHERRY LOCAL ADMINISTRATION SECRETARIAT

(G.O. Ms. No. 47/LAS/2019, Puducherry, dated 7th March 2019)

#### NOTIFICATION

Whereas, clause (6) of Article 243-T of the Constitution provides for reservation of seats in any Municipality or Offices of Chairpersons in the Municipalities in favour of Backward Class of Citizens;

And whereas, sub-section (8) of section 9 of the Puducherry Municipalities Act, 1973 (Act No. 9 of 1973), lays down that the Government may prescribe for reservation of seats in any Municipality in the Municipal Councils in favour of Backward Class of Citizens;

And whereas, the Hon'ble High Court of Judicature at Madras in its interim order dated 13-12-2012 in Writ Petition (W.P. No. 30477 of 2012) directed the Government of Puducherry to make reservation for Backward Classes;

And whereas, clause (1) and clause (4) of Article 243-T of the Constitution states that seats and Offices of Chairpersons shall be reserved for Schedules Castes and Scheduled Tribes in every Municipality;

And whereas, the Hon'ble Supreme Court has observed in its order dated 8-5-2018 in Civil Appeal Nos. 4994-4995 of 2018 [Arising out of SLP(C) Nos. 24321-24322 of 2015] that reservation for Scheduled Castes and Scheduled Tribes is based on population, whereas, if, provision has to be made for Backward Classes, it is left to the States to do so, if, they so desire;

And whereas, the Legislative Department, Ministry of Law and Justice, Government of India, notified a Presidential Order *viz.*, "The Constitution (Puducherry) Scheduled Tribes Order, 2016" [G.S.R. 1167(E)] on 22nd December, 2016, recognizing 'Irular' (including Villi and Vettaikaran) Communities as Scheduled Tribes in relation to the Union territory of Puducherry;

And whereas, reservation for Backward Class is provided for Education and Employment in the Union territory of Pudicherry at 34% as follows:—

(1) Other Backward Class	—	11%
(2) Backward Class (Muslim)	—	2%
(3) Most Backward Class	—	18%
(4) Extreme Backward Class	—	2%
(5) Backward Tribes	—	1%

And whereas, the Government have, therefore, decided to reserve 33.5% of seats for Backward Class and 0.5% of seats for Scheduled Tribes in the Municipal Councils;

Now, therefore, the Lieutenant-Governor, Puducherry, is pleased to order for reservation of seats for Backward Class and Scheduled Tribes in the Municipal Councils as hereunder:—

(1) Backward Class	—	33.5%
(2) Scheduled Tribes	—	0.5%

The allotment of reserved seats for Backward Classes shall be made by the Election Commission, once in five years, by rotation to different constituencies in a Municipal Council. Such allotment shall be made by drawal of lots in such manner that a constituency in a Municipal Council is reserved again only after exhausting such reservation in respect of every other constituency.

The allotment of reserved seats for Backward Class shall be made after the allotment of reserved seats for the Scheduled Castes, Scheduled Castes Women and General Women.

(By order of the Lieutenant-Governor)

**ASHOK KUMAR, I.A.S.,**  
Secretary to Government.

GOVERNMENT OF PUDUCHERRY  
LOCAL ADMINISTRATION SECRETARIAT

(G.O. Ms. No. 48/LAS/2019, Puducherry, dated 7th March 2019)

NOTIFICATION

Whereas, clause (6) of Article 243-D of the Constitution provides reservation of seats in any Panchayat or Offices of Chairpersons in the Panchayats at only level in favour of Backward Class of Citizens;

And whereas, sub-section (8) of section 11 of the Puducherry Village and Commune Panchayats Act, 1973 (Act No. 10 of 1973), lays down that the Government may prescribe for reservation of seats in any Panchayat at any level in favour of Backward Class of Citizens;

And whereas, the Hon'ble High Court of Judicature at Madras in its interim order, dated 13-12-2012 in Writ Petition (W.P. No. 30477 of 2012) directed the Government of Puducherry to make reservation for Backward Classes;

And whereas, clause (1) and clause (4) of Article 243-D of the Constitution states that seats and Offices of Chairpersons shall be reserved for Scheduled Castes and Scheduled Tribes in every Panchayat;

And whereas, the Hon'ble Supreme Court has observed in its order, dated 8-5-2018 in Civil Appeal Nos. 4994-4995 of 2018 [Arising out of SLP(C) Nos. 24321-24322 of 2015] that reservation for Scheduled Castes and Scheduled Tribes is based on population, whereas, if, provision has to be made for Backward Classes, it is left to the States to do so, if, they so desire;

And whereas, the Legislative Department, Ministry of Law and Justice, Government of India, notified a Presidential Order *viz.*, "The Constitution (Puducherry) Scheduled Tribes Order, 2016" [G.S.R. 1167(E)] on 22nd December, 2016, recognizing 'Irular' (including Villi and Vettaikaran) Communities as Scheduled Tribes in relation to the Union territory of Puducherry;

And whereas, reservation for Backward Class is provided for Education and Employment in the Union territory of Puducherry at 34% as follows:—

(1) Other Backward Class	—	11%
(2) Backward Class (Muslim)	—	2%
(3) Most Backward Class	—	18%
(4) Extreme Backward Class	—	2%
(5) Backward Tribes	—	1%

And whereas, the Government have, therefore, decided to reserve 33.5% of seats for Backward Class and 0.5% of seats for Scheduled Tribes in Panchayats at all levels.

Now, therefore, the Lieutenant-Governor, Puducherry, is pleased to order for reservation of seats for Backward Class and Scheduled Tribes in Panchayats at all levels as hereunder:—

- |                      |         |
|----------------------|---------|
| (1) Backward Class   | – 33.5% |
| (2) Scheduled Tribes | – 0.5%  |

The allotment of reserved seats for Backward Classes shall be made by the Election Commission, once in five years, by rotation to different constituencies in a Commune Panchayat Councils and Village Panchayats. Such allotment shall be made by drawal of lots in such manner that a constituency in a Panchayat is reserved again only after exhausting such reservation in respect of every other constituency.

The allotment of reserved seats for Backward Classes shall be made after the allotment of reserved seats for the Scheduled Castes, Scheduled Castes Women and General Women.

(By order of the Lieutenant-Governor)

**ASHOK KUMAR, I.A.S.,**  
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