

**UT Administration of Dadra & Nagar Haveli and Daman & Diu
Office of the Joint Secretary (PRI/RD), DNH & DD
Dholar, Moti Daman – 396220**

No. JS/PRI/DP-Committee-Rules/2021-22/199

Dated :- 15.07.2021

NOTIFICATION

Whereas, draft “**Dadra and Nagar Haveli and Daman and Diu District Panchayats Committee Rules, 2021**” were published vide Notification No. **JS/PRI/DP-Committee-Rules/2021-22/180** dated 05.07.2021 in the Official Gazette Series – II No. 25 dated 5th July, 2021.

And whereas, only one objection / suggestion was received in respect of the said draft Rules within the stipulated time limit and the same was considered and disposed after due deliberation.

Now, therefore, in exercise of the powers conferred under **Section 121** read with **Section 73** of the Dadra and Nagar Haveli and Daman and Diu Panchayat Regulation, 2012 (No. 5 of 2012) read with the “Dadra and Nagar Haveli and Daman and Diu (Adaptation of State Law and Presidential Regulations) Order, 2020, dated 08/10/2020 issued by the Ministry of Home Affairs, New Delhi, the Administrator of Dadra and Nagar Haveli and Daman and Diu is pleased to notify “**The Dadra and Nagar Haveli and Daman and Diu District Panchayats Committee Rules, 2021**” applicable to District Panchayats of UT of Dadra and Nagar Haveli and Daman and Diu.

Rules

- 1. Short title and commencement:** - (1) These Rules may be called “**The Dadra and Nagar Haveli and Daman and Diu District Panchayat Committee Rules, 2021**”.
- (2) They shall come into force on the date of their publication in the Official Gazette of Union Territory of Dadra and Nagar Haveli and Daman and Diu.
- 2. Definition:-** (a) In these rules, unless the context otherwise requires:-“**Committee**” means the Committee constituted under Section 73 of the Dadra and Nagar Haveli and Daman and Diu Panchayat Regulation, 2012.
- 3. A District Panchayat shall constitute the following committees with given Power and Duties, namely:-**
 - (1) Executive Committee:-**
 - (a)** Making recommendations relating to the Establishment and all residuary matters not specifically allotted to any of the Committees.
 - (b)** Take steps to give effect to all the decisions or resolutions of the District Panchayat to the Executive Authority.

(c) Any other specific function entrusted by the District Panchayat or the Government.

(2) Public Health Committee:-

(a) To supervise and monitor Health and Sanitation across Panchayat areas and allied schemes implemented by the Government.

(b) For making recommendations pertaining to public health, hospitals, health centres, sanitation, water supply, vaccination and family planning.

(c) To formulate Village Health Plan for enabling the residents to avail the healthcare facilities.

(d) To plan and supervise the execution of the activities of the District Panchayat to assist the Administration in times of Pandemics and other health related crisis – vaccination, track, test, treat, surveillance, information dissemination activities, etc

(e) Any other decision or policy required to be implemented for effective and optimal utilization of Health Infrastructure.

(f) Any other specific function entrusted by the District Panchayat or the Government.

(3) Public Works Committee:-

(a) To propose and consider various works to be taken up by the District Panchayat from time to time.

(b) To supervise the implementation and progress of all works taken up by the District Panchayat and to give suggestions.

(c) To assist the Government in implementing and monitoring schemes of the Government.

(d) Any other specific function entrusted by the District Panchayat or the Government.

(4) Education Committee:-

(a) Undertaking all the Educational activities entrusted to it.

(b) Planning and Recommending of Elementary Education in the District Panchayat area as per the norms of the National Policy and the National Plan.

(c) Recommending, Promotion and Development of Elementary Education.

- (d) Inspection of Primary / Upper Primary Schools, implementation and monitoring of Schemes of Union Territory and Central Government.
- (e) Setting up of Libraries and promoting other literacy programmes.
- (f) Any other specific function entrusted by the District Panchayat or Government.
- (5) Committee for production, co-operation and irrigation:-**
- (a) Making recommendations for such functions, which are considered essential for efficient production of Industrial Goods, Cottage, Khadi, Organic produces and other manufacturing available as per Industrial Policy of Government.
- (b) To make recommendations for Development & Promotion of Co-Operative Societies & their formation.
- (c) Overseeing of Irrigation Systems required for agriculture produce and to make recommendation in this regard.
- (d) Any other specific function entrusted by the District Panchayat or the Government.
- (6) Social Justice Committee:-**
- (a) Making recommendations for functions which are considered essential for securing social justice to the weaker sections of the society including children, orphans, disabled persons and persons belonging to the Scheduled Castes and Scheduled Tribes as deemed necessary by the committee.
- (b) Monitoring of Social Welfare Scheme executed by the District Panchayat and to make recommendations.
- (c) Make suggestion, as deemed fit and necessary for delivery of Social Justice.
- (d) Making recommendations for Conducting awareness drive with respect to Government Welfare Initiatives available to eligible beneficiaries, as required.
- (e) Any other specific function entrusted by the District Panchayat or Government.
- (7) Committee for Women, Child Development and Youth activity:-**
- (a) Making recommendations for functions which are considered essential for betterment of Women, Child Development and promoting Youth activities.

- (b) To Ascertain and recommend conducting of workshops and activities essentially required for Skill Training and betterment for Women & Youth.
- (c) Making suggestions for Creating Awareness regarding employment opportunities for Women and Youth.
- (d) Making recommendation for organizing Sports Competition or any other gatherings and activities, as needed, for betterment of Youth and Women.
- (e) Any other specific function entrusted by the District Panchayat or the Government.

4. (1) All the Committees shall consist of five members (including Chairman) with at least two women members elected by the District Panchayat, from amongst its members.

(2) Wherever the members of the District Panchayat belonging to the Scheduled Castes and Scheduled Tribes exist, the Social Justice Committee shall consist of minimum one member belonging to Scheduled Caste and minimum one member belonging to Scheduled Tribes.

(3) The Committee for Women, Child Development and Youth activity shall only be chaired by a woman.

(4) No member of the Panchayat shall be a member of more than two committees constituted under this Rule.

Provided that, the provision of this Sub-rule 4 shall not apply, when the required/sufficient number of eligible members do not exist in the District Panchayat. A person can become the member of third committee only when it is ensured that all the eligible members have become members of two committees and similar criteria shall be followed for the further requirements.

(5) If any member is simultaneously or otherwise elected as a member of more than two committees, the member shall within ten days from the date or the later of the dates on which he is so elected, intimate to the Chief Executive Officer, two of the committees in which he wishes to serve and thereupon his seat in the committee or committees other than the aforesaid two committees shall become vacant. Any intimation given under this Rule shall be final and irrevocable.

Provided that, the provision of this Sub-rule 5 shall not apply, when the required/sufficient number of eligible members do not exist in the District Panchayat. A person can become the member of third committee only when it is ensured that all the eligible members have become members of two committees and similar criteria shall be followed for the further requirements.

(6) Where a member commits default in giving intimation under the Sub-rule 5, within the period prescribed therein, the District Panchayat shall determine the two committees in which such member shall retain his seat and thereupon the seat in the committees other than the committees so determined shall become vacant.

(7) Where the person so elected as member of any of the above Committees is also the President or the Vice President of the District Panchayat or at any time after his election as the member of the committee is elected as such President and Vice President, he shall not be eligible to continue as the member of the committee, unless he chooses to vacate the office of such President or Vice President and accordingly vacates that office.

5. (1) The members of each committee shall elect from amongst themselves the Chairman of the Committee.

(2) No member shall be Chairman of more than one Committee.

Provided that, the provision of Rule 5 shall not apply when the required/sufficient number of eligible members do not exist in the District Panchayat and no eligible member of the District Panchayat is left for being elected as the Chairman of any committee.

6. The tenure of the Chairman and the Members of the Committees shall be two and half year from the date of first meeting of the District Panchayat, similarly, subsequent Committees will have tenure for the remainder term of the District Panchayat.

7. (1) A member or Chairman may resign from membership or Chairmanship of a committee by tendering his / her resignation to the Chief Executive Officer, District Panchayat

(2) Any vacancy of an elected member occurring in the constitution of a committee shall be filled in by election.

(3) Any casual vacancy may be filled up by the District Panchayat, as soon as possible, subject to the same provisions, under which the member whose place is to be filled up was elected.

(4) A member once elected to a committee shall be eligible for re-election.

(5) If the Chairman or any Committee Member absents himself / herself for two consecutive Committee Meetings without leave of the District Panchayat, he / she shall cease to be the Chairman or Member of such Committee.

8. The Committee shall meet at least once in each Financial Quarter.

9. Other rules as applicable to District Panchayat meeting shall mutatis mutandis apply to committee meetings.

10. (1) The Executive Committee shall be subordinate to the District Panchayat and the other Committees shall be subordinate to the Executive Committee and to the District Panchayat.

(2) The other Committees shall report their decisions as soon as made to the Executive Committee for approval.

- (3) The Executive Committee shall report their decision (including its decisions on the decisions of the other Committees decision) as soon as made to the District Panchayat for information.
- (4) If the decisions or directions of the District Panchayat conflict with the decision or directions of the Executive Committee, the decisions and directions of the District Panchayat shall, in all cases prevail.
- (5) All the Committees shall submit quarterly reports on the activities undertaken in their subjects by them to the Secretary Panchayat.
- (6) The Chief Executive Officer may provide required officials for the functioning of the Committees.
11. (1) The Quorum necessary for the transaction of business of a meeting of the Committees shall be one half of the total members of the Committee including the Chairman.
- Provided that, when the number of Members of Committee is odd, in calculating the Quorum, the fraction shall be counted as one. (Eg. If the Number of Members in a Committee are three, the Quorum shall be Two).*
- (2) All decisions shall be taken by the Committee by a majority of votes of the members present and voting.
12. (1) The District Panchayat shall fix a date and time for convening the meeting for the election of members / Chairman of various committees of District Panchayat.
- (2) The meeting shall be presided over by the Chief Executive Officer or any other officer, nominated by the Secretary Panchayat.
- (3) The Presiding Officer shall issue a notice to all the members of District Panchayat at least seven clear days before the date of meeting and shall indicate the date, time, place and purpose for calling the meeting. A copy of such notice shall be exhibited on the Notice Board of the District Panchayat.
- (4) Not less than two hours before the time fixed for the meeting for the election, any member of a District Panchayat, who has a right to vote, may nominate by a nomination paper in Form-1 any other member for election as a member / chairman of committee and deliver the same to the Presiding Officer. The nomination paper shall be signed by him and by another member as seconder. It shall also show the willingness of the candidate to serve as a member / Chairman of the respective committee, as the case may be, if elected.
- (5) At such meeting, the Presiding Officer shall scrutinize the nomination paper delivered to him under sub-rule (1) in accordance with the Regulation and these rules and shall

thereafter read out the names of the members who in his opinion, have been duly nominated together with their names of their proposers and seconders.

(6) If only one candidate has been validly nominated for the office of the member/chairman of any committee, as the case may be the Presiding Officer shall declare him to have been elected.

(7) If more than one candidate have been validly nominated, the Presiding Officer shall proceed with election. The voting at such election shall be raising of hands.

(8) If an equal number of votes is found to exist between two or more candidates, who have obtained more votes than any other candidate, if any, and the addition of one vote will entitle any of those candidate to be declared elected, the Presiding Officer shall forthwith decide between those two candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote.

(9) If at a meeting called for the election of a member/chairman of any committee, the election is not conducted for any reason whatsoever, the Presiding Officer shall have the power to call the meeting on any other day.

Provided that the Presiding Officer shall intimate as soon as possible, the reasons for the postponement and the next date fixed for the purpose to the Secretary Panchayat and to the District Panchayat.

(10) Immediately after the completion of the election the Presiding Officer shall affix on the notice board of the District Panchayat a notice in Form-II, signed by him declaring the names of persons elected as member/chairman of the committees and send a copy of such notice to the Secretary Panchayat.

13. (1) In the event of a dispute arising as to the validity of the Election, the dispute may be referred to the Secretary Panchayat for decision, by any member of the District Panchayat within fifteen days from the date of declaration of results.

(2) An order passed by the Secretary Panchayat under this rule shall be final and conclusive as to, the dispute referred in sub-rule (1) above.

14. Any motion of no confidence against any member/chairman of any committee shall be regulated by the provisions of motion of no confidence applicable as in case of President and Vice-President of District Panchayat.

By Order and in the name of
Administrator of Dadra and Nagar
Haveli and Daman and Diu.

Sd/—
(Ashish Mohan)
Joint Secretary PRI,
UT of Dadra & Nagar Haveli
and Daman & Diu

FORM – I
 [Sub-Rule (4) of Rule 12]

Nomination form for Election as Member / Chairman of Committee.

- 1 Name of the Committee :-
- 2 Full name of the Candidate and Designation :-
- 3 Father's or Husband's Name :-
- 4 Age :-
- 5 Sex :-
- 6 Address :-
- 7 Full name, address and designation of the proposer :-
- 8 Full name, address and Designation of the Seconder :-

1. Signature of Proposer

2. Signature of Seconder

Date :-
 Place :-

Date :-
 Place :-

CANDIDATE’S DECLARATION

I, _____ (candidate’s name), give my consent to this Nomination.

Date :-
 Place :-

 Signature of Candidate

FORM – II
 [Sub-Rule (10) of Rule 12]

I, _____, hereby declare that the persons whose names are given in column (1) of the Schedule below have been duly elected for the Office mentioned in column (2) against his / her name for the Committee mentioned in column (3) of the said Schedule, namely: -

SCHEDULE

Name of Person	Office to which Elected	Name of the Committee

Place :-

Date :-

Presiding Officer
