

DISTRICT PANCHAYAT DAMAN AND DIU COMMITTEE RULES, 2013

EXTRAORDINARY Daman 1st October, 2013, 9 Asvina 1935 (Saka) 41 No. OFFICIAL GAZETTE Government of India U.T. ADMINISTRATION OF DAMAN & DIU PUBLISHED BY AUTHORITY UT Administration of Daman & Diu Department of Panchayati Raj Institution Office of the Secretary Panchayat, Daman & Diu, Moti Daman NOTIFICATION In exercise of the powers conferred by Sub Section (1) and clause (zj) and (zk) of Sub Section (2) of Section 121 of the Daman and Diu Panchayat Regulation, 2012 (No. 4 of 2012) the Administrator, Union Territory of Daman and Diu is hereby pleased to publish Draft "District Panchayat, Daman and Diu Committee Rules, 2013" inviting objections/suggestions, if any, from the general public. Those who wish to file their objection/suggestions, if any, may do so in writing addressed to the Secretary Panchayat, Department of Panchayati Raj Institution, Secretariat, Moti Daman, Daman — 396 220 within 30 days of publication of this Notification in the Official gazette of U.T. Administration of Daman and Diu. 1. 2. 3. (1) These Rules may be called the District Short title and commencement :- Panchayat Daman and Diu Committee Rules, 2013. (2) They shall come into force on date of their final publication in the Official Gazette of Union Territory of Daman and Diu. Definition In these rules, unless the context otherwise requires (a) "Committee" means Committees constituted under section 73 of Daman and Diu Panchayat Regulation, 2012. District Panchayat shall appoint a General Standing Committee and such other Committees for the efficient discharge of its duties, which shall discharge such duties and exercise such powers as are delegated by the District Panchayat : -2 EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013. Provided that District Panchayat may in-place of constituting Committees, may delegate functions and powers of such Committees, to the General Standing Committee or any other Committee. (ii) (iii) (iv) (2) Each Committee shall consist of three members other than General Standing Committee (including Chairman) elected by the District Panchayat, from amongst its members. The General Standing Committee shall consist of not less than five members, including the ex-officio members, elected by the District Panchayat from amongst its members. President and Vice-President of the District Panchayat shall be the Ex-Officio members and Ex-Officio Chairman and Vice-Chairman of the General Standing Committee respectively. The Chairman of each Subject Committee shall be Ex-Officio members of the General Standing Committee. The tenure of the Chairman and Vice-Chairman of the General Standing Committee shall be co-terminus with their term of office as President and Vice- President, District Panchayat, respectively. The tenure of all other members of the General Standing Committee and other Committee shall be two years from the date of the constitution of the respective Committees or till the expiry of the term of the members of District Panchayat/ Gram Panchayat, whichever is earlier. (a) No member shall be Chairman of more than one Committee. (b) No member shall be a member of more than two Committees. (3) (4) -3- EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013. 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. If the Chairman of any Committee absents himself from the District Panchayat area for an aggregate period exceeding six months during the year whether with or without leave of the District Panchayat, he shall cease to be the Chairman of such Committee. 6. 7

8. The Committee shall meet at least once in a month. Other rules as applicable to District Panchayat meeting shall mutatis mutandis apply to these committee meetings. (1) (2) (3) (4) The other Committees shall be subordinate to the General Standing Committee and to the District Panchayat and General Standing Committee shall be subordinate to the District Panchayat. The other Committees shall report their decisions as soon as may be to the General Standing Committee for approval. The Standing Committee shall report as soon as may be all its decisions including its decisions on the decisions of the other Committees to the District Panchayat for information. If the decisions or directions of the District Panchayat conflict with the decision or directions of the General Standing Committee, the decisions and directions of the District Panchayat shall in all cases prevail. EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013

9. Powers, Functions and Duties of the Committees:- (I) General Standing Committee:- (a) Perform functions relating to the Establishment and all residuary matters not specifically allotted to any of the Committees.(b) Exercise general supervision and control over all the officers and officials of the

District Panchayat and others who have been placed at the disposal of the District Panchayat by the Administration. (c) Take steps to give effect to all the decisions or resolutions of the District Panchayat. (d) Make recommendation of the tenders for the execution of public works for approval by the President of District Panchayat. (e) Giving financial sanction subject to the provisions of the Daman and Diu, District Panchayat (Accounts and Audit Custody of Funds) Rules, 2013 and GFR, CPWD Manuals, CVC guidelines and other Government instructions, (f) Any other specific function entrusted by District Panchayat or Government. (2) Finance, Audit and Planning Committee:- (a) All issues relating to the finances of the District Panchayat, framing of budgets, scrutinizing proposals for increase of revenue, examination of receipts and expenditure statements, consideration of all proposals affecting the finances of the District Panchayat and general supervision of the revenue and expenditure of the District Panchayat. (b) To plan priorities, allocation of outlays, horizontal and vertical linkages, implementation of guidelines issued by the Government/Central Government, regular review of planning programmes, evaluation of important programmes. -5- EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013. (c) Preparation and submission of tax proposals for the approval of the District Panchayat. (d) To ensure the periodical audit of accounts and expenditure of Gram Panchayat and District Panchayat. (e) To ensure the compliance of audit observation. (3) Works Committee:- (a) Perform the functions relating to construction and maintenance of roads, communication, power, minor irrigation, water supply, rural housing and other public works. (b) To propose and consider various works to be taken up by the District Panchayat from time to time. (c) To supervise the implementation and progress of all works taken up by the District Panchayat and to give suggestions. (d) Opening of the tenders, their scrutiny and giving its report and recommendation to the General Standing Committee on such tenders. (e) To assist the Government in implementing and monitoring schemes of the Government (f) Any other specific function entrusted by the District Panchayat or Government. (g) The Works Committee shall be assisted by Executive Engineer, Chief Accounts Officer and one more Gazetted Officer for technical evaluation and financial examination in accordance with CPWD Manual, GFR, CVC directions and other relevant directions of Government. (4) Education Committee:- (a) Undertaking all educational activities entrusted to it. (b) Planning of elementary Education in the District Panchayat area within the frame work of the National Policy and National Plan. (c) Promotion and development of elementary education. EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013. (d) Inspection of Primary/Upper Primary Schools, implementation and monitoring of schemes of Union Territory and Central Government. (e) Organizing and promotion of cultural activities. (f) Setting up of libraries and promoting other literacy programmes. (5) Inter-tier Standing Committee for Monitoring and Supervision:- (a) Monitor and supervise the works undertaken by the District Panchayat and Gram Panchayat. (b) Ensure that no difficulty of works at Gram Panchayat level and District Panchayat level takes place. (c) To coordinate between Gram Panchayat and District Panchayat to facilitate the smooth execution of their respective works relating to their respective jurisdiction. (6) Social Audit Committee:- (a) Facilitate smooth conduct of social audit through the Civil Society members/reputed NGOs, in respect of end use of expenditure and to ascertain impact and effective implementation of Schemes of District Panchayat. (b) To assist Village Panchayats for facilitating smooth conduct of social audit through the Civil Society members/reputed NGOs. in respect of end use of expenditure and to ascertain impact and effective implementation of Schemes of Village Panchayats. (c) To build capacity of District Panchayat for conducting social audit. Also to extend assistance to Village Panchayats to build capacity for conduct of Social Audit. (d) To identify, train and deploy suitable resource persons at District for Social Audit at Panchayat level. (e) Prepare social reporting formats, resource material, guidelines and manuals for social audit process (f) Host the social audit report including Action taken reports in the public domain. (7) Joint Committee EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013. 10. (1) The Chairman of every Committee shall in respect of the work of that Committee be entitled to call for any information, return, statement or report from the office of District Panchayat and to enter upon and inspect any immovable property of the District Panchayat or any work in progress concerning the Committee. (2) Each Committee shall be entitled to require attendance at its meetings of any officers/ officials of the District Panchayat who is connected with the work of the Committee and the Chief Executive Officer shall, under instruction of the Committee, issue notices and secure the attendance of such officer

11. Election Procedure:- (1) (a) 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.(b) The meeting shall be presided over by the Chief Executive Officer or any other officer, nominated by the Secretary Panchayat. (2) (a) 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. (b) A copy of such notice shall be exhibited on the Notice Board of the District Panchayat. (c) Every notice issued under this rule shall, if practicable, be served personally by delivering or tendering it to the member to whom it is addressed or, if such person is not found, leaving it at his last known place of residence by giving or tendering the notice to some adult member or servant of his or her family. If none of the aforesaid modes of serving notice is feasible, the notice shall be affixed on some conspicuous part of the building in which the member ordinarily resides. -8- EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013. (3) (a) 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-I 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. (b) At such meeting, the Presiding Officer shall scrutinize the nomination paper delivered to him under sub-rule (I) 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.. (c) 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. (d) 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. (C) 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. (4) 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 President of District Panchayat. -

9- EXTRAORDINARY No. . 41 DATED : 1ST OCTOBER, 2013. (5) Immediately after the completion of the election the Presiding Officer shall affix on the notice board of the District Panchayat a notice in Form-11, 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

12. Dispute regarding Election.(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 (I) above

13. Motion of no confidence: Any motion of no confidence against any member/chairman of any committee except the chairman and vice-chairman of the General Standing Committee shall be regulated by the provisions of motion of no confidence applicable as incase of President and Vice-President of District Panchayat

14. Repeal and Savings: As from the date of commencement of these Rules, the District Panchayat Daman and Diu Committee Rules, 1996 will stand repealed: Provided that such repeal shall not affect any provision in those rules which is not inconsistent with the provisions of the Regulation or these Rules, unless and until that provision is superseded by any law.By order and in the name of The Administrator of Daman & Diu And Dad & Nagar Haveli Special Secretary (PRI) Daman & Diu Dated:- 10 OCTOBER, 2013.



FORM-I [See clause (a) of sub-rule (3) of rule III Nomination Form for Election as Member/Chairman of
Committee Name of the Committee Full name of the Candidate and 2. Designation Father's or Husband's
Name 3



4. Age 5. Sex Address 6. Full name, address and 7. designation of the proposer Full name, address and 8. designation of the seconder Signature of the proposer Date: Place: nomination Date: Place: 2. Signature of the seconder Date: Place: CANDIDATE'S DECLARATION (candidate's name) give my consent to this Signature of the Candidate - 11 - EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013.



FORM-11 [See sub-rule (5) of rule III 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 Office to which elected Name of person Place: Dated: Name of the Committee Presiding Officer 1. 2. 3. - 12 EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013. tia-rq8r 2012 121, (1) 3g-t.TTRT (2) a-g (zj) (zk) a, "ßa•r au-HT*r, 2013" t I 30 #F21T7, QTOT, - 396 220 : (1) t:rerrqa, æ:fi-fä 2013 I : 3-TFUZIT F) 3-rrqrq faau-R, 2012 *r 3.h-c *7tr - 13 - 41 EXTRAORDINARY No. . DATED : 1ST OCTOBER, 2013. (iii) G-a-r tizrrqa 3--Ttzra-T 3-1tva-T 3grtzra.T I (iv) 31tua-T (1) 39TüR--T 5. - 14 - EXTRAORDINARY No. : 41 DATED 1st OCTOBER, 2013. (3) 3-TfrZR 3T&rr, ava 2n, 3-RT t I (4) 3.Tt-qa..T fä---a-r 6. Ofir I (1) ci-€n-u-a 8. 3•Ttft7F2.r ft-qlt I 9. - 15 - 41 EXTRAORDINARY No. . DATED : 1ST OCTOBER, 2013. residuary *7tr, 3-tr I (a) 3TFzr (T) Ä-aT tiETTZ17 æT3?r 3öTü7tr I (g) a-ur 3@-ca--TT) 2013 RF8rzt €-t-a•r, «a*rr 3-TN fä•drzt I F) fia-r zr q;rå F) RET, 3ft q-å&a-PT I (V) qfizzrq fäfrära 3tå 7\$, / Rzrræa-zFf, - 16 EXTRAORDINARY No. . DATED : 1ST OCTOBER, 41 2013. (T) åzrrv g) G-a-r aar-qtra-1T (g) q-trHT I F) fhfUT 3-17T&TOT, Ft, g7fr I zhz:rr, 37\$ -err-# I (g) *r 3#a-TÜT (s) æita•r, a-zrn-ratr, 3Tr&T 3Tfäzi7T, 3fiÄr?r (7T) Fra-TT I 17 - EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013. (Er) /3üT atravr, (Ü) *r 3iRF 3qzt7T (T) a-aT-qtra-TT mar *r a-at-UT I & (q) auT-qtra-•TT qz-raT, - 18 EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013. (10) (1) - a-t-cr-å 3--@Fr fr-#r 3-tr I (2) 3A#r fr-\$r / OTT, -ast-a•-g -a-rt 11. qfrztT• (a) 3-1tua-TaT 3&-Ttr zr 3-<r I æT9-tr 3Ttr 3ft I (v) qzrrzra afra7r:r zrr a-tr zr ur I zft d, - 19 EXTRAORDINARY No. . 41 DATED : 1ST OCTOBER, 2013. t, gta-l 3&Ttr I 3ft I qa•rq-r *r I 3-#raar / *r 3T&Jtr, zrü 3g-azTF(1) 0, 3&Ttr (q) t, 3&Ttr (g) q-zrr t, 31Tå 3FÅ t, ai 3&Ttr 3-1-N I 3-TüTa•T - 20 - EXTRAORDINARY No. : 41 DATED : 1st OCTOBER, 2013. 12. 15 frax q-a-r-q-a fä.-a-ß -Ä fr;-qT I 3i-a-ai7 I 13. : 3-Ftzra-T 3tzra-T Orr I 14. :- 7433E8r,1996 QTå 37 gravlFå R;--æfr I fjp/2013 - 21 - EXTRAORDINARY No. . 41 DATED : 1ST OCTOBER, 2013. gq-l 1. 2. 3. 4. 5. 6. 7. 8. 3TTg qar a-a-r I EXTRAORDINARY No. : 41 DATED : 1ST OCTOBER, 2013. — 11 11 (5) f?--drR--er 3fi.--iöTt @æmment Printing Prss, Daman. 10/2013 — 250.

[PriceRs. 11.00]