

**UT Administration of Daman & Diu
Department of Panchayati Raj Institution,
Secretariat, Moti- Daman.**

No. DS(PRI)/PANCH/REG./AMD/2019-20/

Dated: - 12th August, 2019.

Whereas, it is essential to amend the Daman & Diu Panchayat Regulation, 2012 as notified by the government; and

Whereas, it is proposed to define the authority competent to remove a member of District Panchayat; and

Whereas, it is proposed to define the term of the President and Vice President of the District Panchayat; and

Whereas, it is proposed to extend reservation for SCs, STs and Women for the post of President and Vice President of the District Panchayat, which is presently applicable only to the post of President, District Panchayat.

Now therefore, draft notification containing the proposed amendments is attached herewith (to be uploaded on NIC website), for calling suggestions/ comments from public/ other stakeholders.

The general public/ other stakeholders may furnish their suggestions/ comments in writing, if any, within 30 days from the date of publication of draft notification in the Official Gazette of Union Territory of Daman & Diu to the office of the Secretary, PRI.

By Order and in the name of the
Administrator, Daman & Diu and DNH

Sd/-
(Gurpreet Singh)
Deputy Secretary,
Panchayati Raj Institution,
Daman & Diu

DRAFT AMENDMENT

	<p>THE DAMAN AND DIU PANCHAYAT (AMENDMENT) REGULATION, 2019. NO. 1 OF 2019</p>	
	<p>Promulgated by the President in the Year of the Republic of India.</p>	
	<p>A Regulation further to amend the Daman and Diu Panchayat Regulation, 2012.</p>	
	<p>In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him:—</p>	
	<p>1. (1) This Regulation may be called the Daman and Diu Panchayat (Amendment) Regulation, 2019.</p>	<p>Short title and commencement.</p>
	<p>(2) It shall come into force at once.</p>	
	<p>23 (1) - The Secretary Panchayat may, after giving due notice and after such inquiry as he thinks fit, remove from office any member (including the Sarpanch or Upa- Sarpanch) of a Gram Panchayat who has been guilty of misconduct or neglect of duty or persistent remissness in the discharge of duties and the member so removed shall not be eligible for re- election during the remainder of the term of Panchayat.</p>	<p>Amendment of Section 23 (1) - The words “to the Panchayat” stands omitted.</p>

Removal from office.	67 (A) - (1) The Secretary Panchayat may, after giving due notice and after such inquiry as he thinks fit, remove from office any member (including the President or Vice President) of a District Panchayat who has been guilty of misconduct or neglect of duty or persistent remissness in the discharge of duties and the member so removed shall not be eligible for re-election during the remainder of the term of Panchayat.	Insertion of new Section 67A.
	(2) Any person who has been removed from his office by the authority referred to in sub-section (1) may, within thirty days from the date of the order, prefer an appeal to the Administrator who may, after giving the appellant an opportunity of being heard, modify, set aside or confirm the order of removal.	
	(3) The order of removal so passed by the authority referred to in sub-section (1), shall not take effect before the period, during which an appeal may be preferred under sub-section (2), has expired.	
	(4) An order passed by the Administrator on appeal shall be final.	
	(5) Where an appeal has been filed under sub-section (2), the Administrator may stay the operation of the order of the authority referred to in sub-section (1) till the appeal is disposed of.	
Election of President and Vice-President.	61 (6) The term of the office of the President and Vice President, unless the District Panchayat is sooner dissolved under any law for the time being in force, shall be maximum two and half years (2 years and 6 months) from the date they are elected.	Insertion of new sub Section 61 (6).

	61 (5) - The office of the President and the Vice President shall be reserved for the Scheduled Castes and the Scheduled Tribes according to a roster of reservation which shall be maintained in such form and manner as may be prescribed:	Amendment to Section 61 (5) – The words “ and the Vice President ” are to be inserted.
	Proviso below 61 (5) - Provided that the office of the President and Vice President shall be reserved for women in every second term.	Amendment under proviso 61 (5) – The words “ and Vice President ” are to be inserted.
