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सरकारी राजपत्र OFFICIAL GAZETTE

संघ प्रदेश दादरा एवं नगर हवेली तथा दमण एवं दीव प्रशासन
U.T. ADMINISTRATION OF DADRA AND NAGAR HAVELI AND
DAMAN AND DIU

असाधारण EXTRAORDINARY

प्राधिकरण द्वारा प्रकाशित / PUBLISHED BY AUTHORITY

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U.T. Administration of
Dadra & Nagar Haveli and Daman & Diu
Office of the Secretary (Revenue)
Secretariat, Moti Daman – 396 220.

No.2/COL/LND/Tenancy Regulation/2021/196

Dated: 05/02/2025.

The draft "Dadra and Nagar Haveli and Daman and Diu Tenancy Rules, 2024".

NOTIFICATION

In exercise of the powers conferred by section 45 of the Dadra & Nagar Haveli and Daman & Diu Tenancy Regulation, 2023 (No. 3 of 2023), Draft Dadra & Nagar Haveli and Daman & Diu Tenancy Rules have been framed for finalization. Feedback/ comments on draft rules are invited from public in general which are to be submitted in the Office of Secretary (Revenue) within 30 days from this notification.

Sd/—
(Jatin Goyal)
Jt. Secretary (Revenue)
DNH & DD

**U.T. Administration of Dadra & Nagar Haveli and Daman & Diu
Office of the Secretary (Revenue)
Secretariat, Moti Daman – 396 220.**

No.2/COL/LND/Tenancy Regulation/2021/196

Dated : 05/02/2025

The draft "Dadra and Nagar Haveli and Daman and Diu Tenancy Rules, 2024".

NOTIFICATION

In exercise of the powers conferred by section 45 of The Dadra & Nagar Haveli and Daman & Diu Tenancy Regulation, 2023 (No. 3 of 2023), the Administrator of U.T. Dadra & Nagar Haveli and Daman & Diu hereby make the following rules for carrying out the purpose of the said Act, namely:-

1. Short title and commencement. — (1) These rules may be called “The Dadra and Nagar Haveli and Daman and Diu Tenancy Rules, 2024 (2) They shall apply to whole of the UT of Dadra & Nagar Haveli and Daman & Diu.

(3) They shall come into force with on the date of their publication in the official gazette.

2. Definition. — In these rules, unless the context otherwise requires —

- (a) “Act” means The Dadra & Nagar Haveli and Daman & Diu Tenancy Regulation, 2023;
- (b) “Appeal” means an appeal against the order of the Rent Authority or Rent Court, as the case may be, filed before the Rent Court or the Rent Tribunal, respectively, by either party;
- (c) “Appellant” means a party which files an appeal against the order of the Rent Authority or Rent Court, as the case may be, before the Rent Court or the Rent Tribunal, respectively;
- (d) “Application” means an application filed before the Rent Authority or the Rent Court, as the case may be, by either party;
- (e) “Applicant” means a party who makes an application before the Rent Authority or the Rent Court, as the case may be;
- (f) “Form” means a form appended to these rules;
- (g) ‘Schedule’ means the Schedule of The Dadra & Nagar Haveli and Daman & Diu Tenancy Regulation, 2023 (No. 3 of 2023),
- (h) “Memorandum” means a memorandum of appeal filed by the Appellant;
- (i) “Party” means the landlord or tenant and both collectively means ‘parties who enter into the tenancy agreement;

- (j) “Respondent or Opposite Party” means the party, which liable to answer an Application or Memorandum before the Rent Authority or Rent Court or the Rent Tribunal, as the case may be;
- (k) “Section” means a section of the Act;
- (l) ‘Rule’ means a rule framed under section 45 of the Act;
- (m) All words and expressions defined and used in the Act but not defined in these Rules, shall have the same meaning as assigned to them in the Act.

3. Information of Tenancy and timelines. — (1) Every tenancy agreement shall be intimated to the Rent Authority as required under section 4, sub-section (2) of section 5 and sub-section (2) of section 7 of the Act.

(2) The tenant and landlord shall intimate jointly or separately about the tenancy details to the Rent Authority as per the form specified in the First Schedule within a period of two months from the date of execution of such agreement through online mode.

(3) The Rent Authority upon receipt of the intimation from landlord and tenant both as prescribed in sub-rule (2) of Rule 3, shall provide Unique Identification Number to the parties in the form of e-receipt through electronic medium on their mobile numbers /email addresses within seven days from the date of receipt of intimation of tenancy as per First Schedule along with the documents mentioned therein.

4. Tenancy details to be uploaded and maintained by Rent Authority. — (1) The Rent Authority shall develop a digital platform compulsorily in the local vernacular and any other language as State Government or Union Territory Administration may deem fit, for enabling submission of documents, within three months after setting up of the Authority.

(2) The Rent Authority while providing the Unique Identification Number, simultaneously shall upload the details of the tenancy given by the parties in First Schedule on its website within seven days from the date of receipt of application as prescribed in sub-rule (3) of Rule 3.

(3) Rent Authority shall take all the measures for maintaining privacy and security of data including all the documents and details submitted by the parties.

(4) The details of the tenancy including the cases of renewal, extension, addendum, supplementary agreement and other related application by parties through digital platform, shall be accessible to concerned parties only and to the person authorized by Rent Authority. Under any circumstances, such information shall not be accessible to public or any unauthorised person.

(5) For online submission of tenancy details as prescribed in First Schedule, Rent Authority shall ensure secured validation process through One Time Password process on the registered mobile numbers/e-mails of the respective parties.

- 5. Revision of rent by Rent Authority.** — (1) The landlord or tenant may make an application to the Rent Authority to fix or revise the rent payable in Form I.
- (2) The landlord or tenant may make an application to the Rent Authority to fix or revise the other charges payable in Form IA.
- (3) The Rent Authority shall revise the rent and other charges on application by landlord or tenant under section 10 of the Act. The Rent Authority may take into account the prevalent rent or other charges in respect of other rented premises situated in same vicinity while fixing or revising rent and other charges.
- (4) If the applicant does not agree with the rent or other charges fixed by the Rent Authority as provided in sub-rule (3) of Rule 5, in such case upon the application of aggrieved party in the format prescribed in Form 1B, a valuer of properties, recognized by the Government to evaluate the rent of the premises, shall be appointed by the Rent Authority. The fee of valuer shall be borne by the aggrieved party, who has filed the application for the purpose of fixation or revision of rent and/or other charges.
- (5) After fixation or revision of rent and/or other charges as per sub-rule (3) or (4) of Rule 5, the Rent Authority, by its order, shall intimate the parties about effective date of payment to the concerned party.
- 6. Deposit of rent with the Rent Authority.** — (1) Where the landlord does not accept any rent and other charges payable or refuses to give a receipt, in such case the rent and other charges shall be paid to the landlord by postal money order or demand draft or cheque or Real Time Gross Settlement or National Electronic Funds Transfer or any other electronic mode of payment as may be recognized by the Reserve Bank of India, consecutively for two months.
- (2) If the landlord does not accept the rent and other charges within the said period then, the tenant shall deposit such rent and charges with the Rent Authority through electronic mode of payment in favour of 'Rent Authority' along with application.
- 7. Application to Rent Court for recovery of possession of premises** — For recovery of possession of premises from tenant during the continuance of tenancy agreement, the landlord or in case of death of landlord, the legal heirs of landlord may submit an application to the Rent Court as prescribed in Form II under sub-section (2) of section 21 or under section 22 of the Act as applicable, along with relevant document and available evidence.
- 8. Rate of interest.** — (1) Save as otherwise agreed between the parties in the tenancy agreement, for the purpose of Act the rate of interest shall be the State Bank of India's highest Marginal Cost of Lending Rate plus two percent, payable by the tenant to the landlord on the arrears of rent and other charges payable or in case of refund of security deposit and advance rent payable by the landlord to tenant.

(2) In case the Marginal Cost of Lending Rate of State Bank of India is not in use due to any reason, such benchmark lending rate, which the State Bank of India may fix from time to time for lending to the general public, shall be replaced for the purpose of calculating the rate of interest under the Act.

- 9. Legal representation.** — The applicant or appellant and respondent may either appear in person or authorize in writing one or more representative or legal practitioner to represent their case before the Rent Authority, Rent Court and Rent Tribunal, as the case may be.

Explanation — For the purposes of these Rules “legal practitioner” means an advocate, vakil or an attorney of any Court, and includes a pleader in practice.

- 10. Procedure to be followed for making application before the Rent Authority.** —

(1) An application made to the Rent Authority under sections 10, 14, 15 and 20 of the Act shall be made by the applicant in Form III accompanied by affidavits and documents, if any.

(2) On receipt of the application, the Rent Authority shall issue notice requiring the opposite party to file his reply statement, if any, within fifteen days of the service of notice as to why the relief prayed for should not be granted:

Provided that where the opposite party fails to file the reply statement within the said period of fifteen days, he shall be allowed to file the same within such further period as may be specified by the Rent Authority, for reasons to be recorded in writing, but which shall not be later than thirty days from the date of service of notice.

(3) Every notice served by the Rent Authority on the Opposite Party shall be accompanied by a copy of the Application.

- 11. Procedure to be followed for making application before the Rent Court.** — Any application under sub-section (1) of section 27 shall be made to the Rent Court by the applicant in Form IV.

- 12. Appeal before the Rent Court.** — Any appeal to the Rent Court under sub-section (1) of section 36 shall be made by the appellant in Form V.

- 13. Appeal before the Rent Tribunal.** — (1) Every appeal shall be made by the appellant to the Rent Tribunal in Form VI.

(2) Every appeal shall be accompanied by a Memorandum setting forth concisely under distinct heads, the grounds of appeal, without any narration and such grounds shall be numbered consecutively.

(3) Each Memorandum shall be accompanied by the certified copy of the order of the Rent Court appealed against and such other documents as may be required to support grounds of objection mentioned in the Memorandum.

(4) When an appeal is presented after the expiry of period of limitation as specified in the Act, the Memorandum shall be accompanied by an application supported by an affidavit setting forth the fact on which appellant relies to satisfy the Rent Tribunal that he has sufficient cause for not preferring an appeal within the period of limitation.

(5) The appellant shall submit necessary copies of the Memorandum to the Rent Tribunal for official purposes.

(6) On the date of hearing or any other day to which hearing may be adjourned, it shall be obligatory for the parties to appear before the Rent Tribunal. If appellant fails to appear on such date, the Rent Tribunal may, in its discretion, either dismiss the appeal or decide it on the merits of the case. If respondent or agent fails to appear on such date, the Rent Tribunal shall proceed ex-parte and shall decide the appeal on its merits.

(7) The appellant shall not, except by leave of the Rent Tribunal, urge or be heard in support of any ground of objections not set-forth in the Memorandum but the Rent Tribunal, in deciding the appeal shall not confine to the grounds of objection set-forth in the Memorandum or taken by leave of the Rent Tribunal under this Rule:

Provided that the Rent Tribunal shall not rest its decision on any other grounds other than those specified unless the party who may be affected thereby, has been given at least one opportunity of being heard by the Rent Tribunal.

(8) The Rent Tribunal may, on such terms as it may think fit and at any stage, adjourn the hearing of appeal, but not more than one adjournment shall ordinarily be given and the appeal should be decided within a period of one hundred twenty days from the date of service of notice of appeal on the respondent.

14. Execution of order by Rent Court. - (1) The Rent Court shall, on an application filed by any party, execute an order of a Rent Court or a Rent Tribunal or any other order made under the Act by giving appropriate directions to respective parties for execution of the order and may also appoint any advocate or any other competent person including officers of the Rent Court or local administration or local body to ensure the execution of the order. Such person has to ensure timely execution of order and seek directions of Rent Court, if required.

(2) The Rent Court shall dispose of the application for execution within a period of thirty days from the date of service of notice on opposite party.

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

Place : Daman
Date : 05/02/2025

Sd/-
(Jatin Goyal)
Jt. Secretary (Revenue)
Daman & Diu

FORM-I*[See rules 5(1)]*

Application for revision or fixation of rent

To
The Rent Authority

1. Unique Identification Number issued by the Rent Authority:
2. Document No. of tenancy agreement registered before the Sub-Registrar (if any) :
3. Name and Address of the Landlord:
4. Name(s) and Address of the Tenant:
5. Name and Address of the Property Manager (if any):
6. Description of rented premises
7. Present monthly rent:
8. Proposed monthly rent:
9. Reason for fixation or revision of rent:

Name and Signature
of landlord or tenant.

FORM-IA*[See rules 5(2)]***Application for revision or fixation of other charges**

To
The Rent Authority

1. Unique Identification Number issued by the Rent Authority:
2. Document No. of tenancy agreement registered before the Sub-Registrar (if any) :
3. Name and Address of the Landlord:
4. Name(s) and Address of the Tenant:
5. Name and Address of the Property Manager (if any):
6. Description of rented premises:
7. Existing details of other charges (such as- charges for Electricity or Power-backup, Water Maintenance, Security Services, Extra services or equipment etc.)
8. Proposed other charges:
9. Reason for fixation or revision of other charges:

*Name and Signature
of landlord or tenant.*

FORM-IB*[See rules 5(4)]***Application for appointment of Valuer for fixation or revision of rent and other charges**

To
The Rent Authority

Ref: Unique Identification Number issued by the Rent Authority:

I, _____, Son/Daughter/Wife of _____, resident of _____, landlord or tenant of premises situated at _____, resident of District - _____, State - hereby make this application to appoint the government recognized valuer to evaluate the rent and or other charges of the aforesaid premises.

I hereby agree to bear the fee of the valuer as determined by the Rent Authority.

*Name and Signature
of landlord or tenant.*

FORM-II*[See Rule 7]***Application before the Rent Court for recovery of possession of premises**

BEFORE THE RENT COURT [_____]

Name of the Applicant

(Add description and the residential address of the Applicant)

... APPLICANT

Whereas the premises mentioned herein above was rent out to the Tenant Mr./Ms. [S/o / D/o [] vide Unique Identification Number _____, . In accordance with sub-section (2) of section 21 or section 22 of the Act, I hereby request the Rent Court for recovery of possession of the premises on following ground:

- (i) _____
- (ii) _____
- (iii) _____

DETAILS OF APPLICATION:

1. Particulars of application :
2. Jurisdiction of the Rent Court :
(The applicant declares that the subject matter of this application is within the jurisdiction of the Rent Court.)
3. Facts of the case :
(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).
4. Grounds for relief :
5. Matters not previously filed or pending with any other court: (The applicant further declares that he/she had not previously filed any application, petition, writ petition or suit regarding the matter in respect of which this application has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them. In case the applicant has previously filed any such application, writ petition or suit, the details of the pendency of such cases filed, or if disposed, the decisions of such cases to be enclosed.) :
6. Relief sought :
(In view of the grounds mentioned in para 4 above, the applicant prays for the following relief(s): -

(Specify below the relief(s) sought explaining the grounds for such relief(s) and the legal provisions, if any, relied upon).

7. Interim order, if any prayed for :
 Pending final decision on the application, the
 applicant seeks the following interim relief:
 (Give here the nature of the interim relief prayed for).

8. List of enclosures :
 1.
 2.
 3.

VERIFICATION

I (Name of the Applicant) S/o. / W/o. / D/o.
 Aged, residing at., do hereby verify that the contents of paras
 to are true to my personal knowledge and paras to believed to
 be true on legal advice received and I hereby declare that I have not suppressed any material facts.

Date:

Place:

Signature of the Applicant

FORM-III*[See rule 10]***Application filed before the Rent Authority**

BEFORE THE RENT AUTHORITY [_____]

In the matter of Tenancy of Unique Identification Number _____

A. Name of the Applicant

(Add description and the residential address on which the service of notices is to be effected on the Applicant)

... APPLICANT

Versus

B. Name of the Opposite Party

(Add description and the residential address on which the service of notices is to be effected on the Opposite Party).

... OPPOSITE PARTY

DETAILS OF APPLICATION:

1. Particulars of violation against which the present application is made :
2. Jurisdiction of the Rent Authority :
(The applicant declares that the subject matter of this application is within the jurisdiction of the Rent Authority)
3. Facts of the case :
(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).
4. Grounds for relief :
5. Matters not previously filed or pending with any other court: (The applicant further declares that he/she had not previously filed any application, petition, writ petition or suit regarding the matter in respect of which this application has been made, before any court or any other authority or any other Bench of the any tribunal nor any such application, writ petition or suit is pending before any of them. In case the applicant has previously filed any such application, writ petition or suit, the details of the pendency of such cases filed; or if disposed, the decisions of such cases to be enclosed.) :
6. Relief sought :
(In view of the grounds mentioned in para 4 above, the applicant prays for the following relief(s)):-
(Specify below the relief sought explaining the grounds for such relief(s) and the legal provisions, if any, relied upon).
7. Interim order, if any prayed for Pending final decision on the application, the applicant seeks the following interim relief; (Give here the nature of the interim relief prayed for) :

8. List of enclosures :
1.
2.

VERIFICATION

I (Name of the Applicant) S/o. / W/o. /D/o.
..... aged....., residing atdo hereby verify that the
contents of paras to are true to my personal knowledge and paras to believed to be true on legal advice
received and I hereby declare that I have not suppressed any material facts.

Date:

Place:

Signature of the Applicant

FORM-IV*[See rule 11]***Application filed before the Rent Court
IN THE RENT COURT AT [_____]****In the matter of Tenancy of Unique Identification Number****A. Name of the Applicant***(Add description and the residential address on which the service of notices is to be effected on the Applicant)*

... APPLICANT

Versus

B. Name of the Respondent*(Add description and the residential address on which the service of notices is to be effected on the Respondent(s)).*

... RESPONDENT

DETAILS OF APPLICATION:

1. Particulars of application :
2. Jurisdiction of the Rent Court :
(The applicant declares that the subject matter of this application is within the jurisdiction of the Rent Court.)
3. Facts of the case :
(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).
4. Grounds for relief :
5. Matters not previously filed or pending with any other court: (The applicant further declares that he/she had not previously filed any application, petition, writ petition or suit regarding the matter in respect of which this application has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them. In case the applicant has previously filed any such application, writ petition or suit, the details of the pendency of such cases filed, or if disposed, the decisions of such cases to be enclosed.) :
6. Relief sought :
(In view of the grounds mentioned in para 4 above, the applicant prays for the following relief(s):-
(Specify below the relief(s) sought explaining the grounds for such relief(s) and the legal provisions, if any, relied upon).
7. Interim order, if any prayed for : Pending :
final decision on the application, the applicant seeks the following interim relief:
(Give here the nature of the interim relief prayed for).
8. List of enclosures :
1.
2.
3.

VERIFICATION

I (Name of the Applicant) S/o. / W/o. / D/o.
aged residing at, do hereby verify that the contents of paras
.....to are true to my personal knowledge and paras to believed to be true on legal
advice received and I hereby declare that I have not suppressed any material facts.

Date:

Place:

Signature of the Applicant

FORM-V

[See rule 12]

Appeal to be filed before the Rent Court**IN THE RENT COURT AT []****In the matter of Tenancy of Unique Identification Number []**

A. Name of the Appellant

(Add description and the residential address on which the service of notices is to be effected on the Appellant)

... APPELLANT

Versus

B. Name of the Respondent

(Add description and the residential address on which the service of notices is to be effected on the Respondent).

... RESPONDENT

DETAILS OF APPEAL:

1. Particulars of the order of the Rent Authority as against which the appeal is made :
2. Jurisdiction of the Rent Court (The appellant declares that the subject matter of appeal as against which he wants redressal is within the jurisdiction of the Rent Court.) :
3. Limitation (The appellant further declares that the appeal is within the limitation period prescribed in sub-section (2) of section 32 of the [Name of Tenancy Act] (Act _____ Of _____)). :
4. Memorandum of Appeal (Grounds for appeal with legal provisions:) :
5. Matters not previously filed or pending with any other court (The appellant further declares that he/she had not previously filed any application, petition, writ petition or suit regarding the matter in respect of which this appeal has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them. In case the appellant has previously filed any such application, writ petition or suit, the details of the pendency of such cases filed, or if disposed, the decisions of such cases to be enclosed.) :
6. Relief sought (In view of the Memorandum provided in para 4 above, the appellant prays for the following relief) :

- 7. Interim order, if any prayed for :
Pending final decision on the appeal, the appellant seeks the following interim relief :
(Give here the nature of the interim relief prayed for).
- 8. List of enclosures :
 - 1.
 - 2.

VERIFICATION

I (Name of the Appellant) S/o. / W/o. / D/o. aged, residing at do hereby verify that the contents of paras..... to are true to my personal knowledge and paras..... to believed to be true on legal advice received and I hereby declare that I have not suppressed any material facts.

Date:
Place:

Signature of the Applicant

FORM-VI

[See rule 13]

Appeal to be filed before the Rent Tribunal**BEFORE THE RENT TRIBUNAL AT [_____]****In the matter of Tenancy of U.I. No. _____**

A. Name of the Appellant

(Add description and the residential address on which the service of notices is to be effected on the Appellant)

. . . APPELLANT

Versus

B. Name of the Respondent

(Add description and the residential address on which the service of notices is to be effected on the Respondent(s))

. . . RESPONDENT

DETAILS OF APPEAL:

1. Particulars of the order of the Rent Court as against which the Appeal is made :
2. Jurisdiction of the Rent Tribunal :
(The appellant declares that the subject matter of appeal as against which he wants redressal is within the jurisdiction of the Rent Tribunal.)
3. Limitation :
(The appellant further declares that the appeal is within the limitation period prescribed in sub-section (1) of section 38
Tenancy of the [*Name of Tenancy Act*] (Act _____ of _____)).
4. Memorandum of Appeal :
(Grounds for appeal with legal provisions)
5. Matters not previously filed or pending with any other court : (The appellant further declares that he/she had not previously filed any application, petition, writ petition or suit regarding the matter in respect of which this appeal has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.
In case the appellant has previously filed any such application, writ petition or suit, the details of the pendency of such cases filed; or if disposed, the decisions of such cases to be enclosed.)
6. Relief sought :
7. Interim order, if any prayed for :
Pending final decision on the appeal, the appellant seeks the following interim relief :
(Give here the nature of the interim relief prayed for).

8. List of enclosures :
- 1.
 - 2.

VERIFICATION

I (Name of the Appellant) S/o. / W/o. / D/o. Aged
....., residing at, do hereby verify that the contents of paras
..... to are true to my personal knowledge and parasto believed to be true on
legal advice received and I hereby declare that I have not suppressed any material facts.

Date:

Place:

Signature of the Applicant
