



भारत सरकार / Government of India

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

श्रेणी - २
SERIES - II

प्राधिकरण द्वारा प्रकाशित / PUBLISHED BY AUTHORITY

Daman	18 th August, 2025	27 Sravana, 1947 (Saka)	No. : 28
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U.T. Administration of Dadra and Nagar Haveli and Daman & Diu,
Planning & Development Authority Daman,
Collectorate, Moti Daman.

No. PDA/DMN/APPR. TPS/230/2025/395

Dated: 08/08/2025

ORDER

In exercise of the powers conferred by sub-section (4) of Section 72 of the Dadra and Nagar Haveli and Daman and Diu Town and Country Planning Act, 1974, the Chairman of the Tribunal, Daman, is hereby pleased to appoint the following officers as the assessors to decide the appeals under sub-section (2) of Section 71 of the said Act:-

1. Shri. Prakash P. Parmar, Associate Town Planner, Dadra and Nagar Haveli.
2. Shri. Sandeep Kumar Yadav, I/c. Executive Engineer, P.W.D., Dadra and Nagar Haveli.

Sd/—
(R.S.Tiwari)
Chairman,
Tribunal of Appeal, Daman.

संघ प्रदेश दादरा और नगर हवेली और दमण एवम् दीव प्रशासन/
UNION TERRITORY ADMINISTRATION OF
DADRA AND NAGAR HAVELI AND DAMAN & DIU,
समाहर्ता / जिला अधिकारीका कार्यालय, दमण /
OFFICE OF THE COLLECTOR/DISTRICT
MAGISTRATE, DAMAN.

No. COL/DMN/MAG/EST/163-BNSS-2023/2024-25/2643

Dated: 07/08/2025

ORDER UNDER SECTION 163 OF
THE BHARTIYA NAGRIK SURAKSHA SANHITA, 2023

WHEREAS, it has been brought to the notice of the undersigned that various Kabrastan in Daman are imposing financial and physical restrictions on burial of Muslims based on sectarian and geographical considerations;

AND WHEREAS, Islam teaches equality among all Muslims and never teaches to discriminate between the living let alone the deceased;

AND WHEREAS, unlawful restriction to use of such burial land infringes upon the fundamental rights, including violation of Articles 14, 15, 21 and 25 of the Indian Constitution, of the deceased and their family members guaranteed under the Constitution of India and might cause disturbance to public tranquillity;

AND WHEREAS, having gone through the various verdicts passed by the Apex Court, wherein the Apex Court has interpreted Article 21 broadly to include the right to a dignified burial or cremation as part of the right to life and personal liberty. This means that the state has a duty to ensure that individuals have access to burial grounds and that their remains are treated with respect.

NOW THEREFORE, in view of the above facts and legal provisions, I, Saurabh Mishra, District Magistrate, Daman, in exercise of the powers conferred under Section 163 of the Bharatiya Nagarik Suraksha Sanhita, 2023, do hereby order the following:

- i. Kabrastans designated as Muslim burial grounds are as under:

Sr. No.	Village	Survey Nos.	Area in sq. mtrs.	Area in acres
1.	Devka	6	3700.00	0.92
2.	Varkund	44	13077.00	3.26
3.	Varkund	60	5600.00	1.4
4.	Dholar	127	21600.00	5.4
Total			43997.00	10.99

- ii. No individual, community, religious organization, or group shall restrict or obstruct the burial of any deceased person belonging to the Muslim faith, regardless of their internal sectarian identity, at any site designated as a burial ground for the Muslim community.
- iii. Shri. Ismail K. Muzawar, Superintendent of Establishment Section, Collectorate, Daman, is designated as Nodal Officer for the non-discrimination in Muslim burials.

- iv. Any person or group found engaging in obstruction/ restrictions, intimidation, or discrimination in this regard shall be liable for criminal prosecution under section 196 (promoting enmity between different groups on grounds of religion, race, place of birth, residence, language etc., and doing acts prejudicial to maintenance of harmony), other relevant provisions of the Bharatiya Nyaya Sanhita, 2023 and may be proceeded against under Section 223 (Disobedience to an order promulgated by a public servant) of Bharatiya Nyaya Sanhita, 2023 and other applicable legal provisions.

This order shall come into force with immediate effect.

Issued under my hand and seal on this day, the 07th day of August, 2025, at Daman.

Sd/–
(Saurabh Mishra)
District Magistrate,
Daman.
