



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

असाधारण EXTRAORDINARY

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U. T. Administration of Dadra and Nagar Haveli and Daman and Diu
Office of the Joint Secretary (PRI), Secretariat,
Vidyut Bhawan, Kachigam – 396 210.

F. No. JS/PRI/Rule/GPDP/Removal-POB/2025/484

Dated: - 15/12/2025

NOTIFICATION

In exercise of the powers conferred under Section 121 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 draft Rules i.e. “The Dadra and Nagar Haveli and Daman and Diu Panchayat Office Bearers (Procedure for Removal) Rules, 2025.” applicable to Panchayats of UT of Dadra and Nagar Haveli and Daman and Diu.

Any Objection or Suggestion shall be submitted before the Office of the Secretary (PRI) or Joint Secretary (PRI), Vidyut Bhawan, Kachigam, Nani Daman within 30 days from issuance of this Notification.

1. Short title and commencement. -

(1) These rules may be called “The Dadra and Nagar Haveli and Daman and Diu Panchayat Office Bearers (Procedure for Removal) Rules, 2025”.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. –

(1) In these rules, unless the context otherwise requires, -

- (a) “Administrator” means the Administrator of Union Territory Administration of Dadra and Nagar Haveli and Daman and Diu.
 - (b) “Communication Medium” means any document submitted vide regular postal services or speed post or courier or digital medium;
 - (c) “Competent Authority” means the Authority, as provided under Section 23 and Section 67A of the Regulation;
 - (d) “Office Bearer of the Panchayat” means,
 - (i) the Sarpanch or Upa-Sarpanch or Member of a Gram Panchayat;
 - (ii) the President or Vice-President or Member of a District Panchayat;
 - (e) “Regulation” means the Dadra and Nagar Haveli and Daman and Diu Panchayat Regulation, 2012;
- (2) Words and expressions used but not defined in these rules shall have the same meaning respectively assigned to them in the Regulation.

3. Sources and details of complaint. –

(1) Sources of complaint:

Any information received from any source regarding corruption or irregularity or misconduct or misuse of power by office bearer of the panchayat shall be treated as a complaint. The information forming the basis for an inquiry against office bearer of the panchayat may originate from any of the following sources: -

- (a) A complaint received from the general public, another office bearer, or any institution containing allegations against the office bearer of the panchayat.
- (b) Irregularities or misconduct or deficiencies noticed during office inspection or physical verification of supplies.
- (c) Irregularities or misconduct observed in the office audit, such as tampering with records, excess payments or improper allocation of goods and funds.
- (d) Reports arising from audit of accounts of Government and public enterprises.
- (e) Irregularities or misconduct reflected in reports of Audit conducted by Indian Audit and Accounts Department or any other Audit, as may be executed in accordance of the Regulation or General Financial Rules or, in case of Grants-in-Aid, as directed by the Union Territory Administration of Dadra and Nagar Haveli and Daman and Diu or Central Government.

- (f) Proceedings of the Parliament.
- (g) Reports of irregularities or misconduct published in newspapers or social media.
- (h) Strategic or commissioned data collected by any agency.
- (i) On the basis of information (tip-off) received from a known or verifiable source, recorded in writing by a competent authority of the administration.
- (j) If office bearer of the panchayat is found guilty of misconduct in performing their duties, engages in disgraceful conduct, abuses power, repeatedly commits defaults in carrying out duties under the Act, or is unable to discharge their duties as per the Act then, the competent authority specified in Annexure-I may initiate *Suo-motu* action.

(2) Details of complaint:

It is necessary that the following details be clearly mentioned in the complaint made against office bearer of the panchayat, -

- (a) The name of the complainant;
- (b) Complainant complete address;
- (c) Complainant contact number;
- (d) Details of allegation;
- (e) Supporting evidence related to the complaint, such as photographs, audio or video recordings, copies of records, etc.

4. Procedure to be followed to address complaint. -

- (1) A complaint shall be made in accordance with the provisions mentioned in rule 3.
- (2) If the complaint is submitted through digital medium, the complainant must ensure that the original complaint must be submitted to the concerned office within seven days from the date of the complaint.
- (3) The office of the District Panchayat shall maintain the record of the complaint received regarding taking action against the office bearer of the Panchayat.
- (4) When a complaint, containing allegations against the office bearer of the Panchayat is received, a primary scrutiny must be conducted in accordance with rule 3. If deemed appropriate, the competent authority shall consider the complaint for further inquiry otherwise, the complaint that is vague or unfounded shall be disposed.

- (5) While deciding on the complaint, the competent authority shall ensure that the complaint serves the public interest.
- (6) If there are valid reasons in complaint for inquiry against office bearer of the Panchayat, the competent authority shall obtain factual report from concerned officer.

5. *Inquiry Procedure. -*

- (1) If, upon conclusion of the inquiry under rule 4, the Competent Authority has reason to believe that the panchayat office bearer is liable to be removed under the relevant provisions of the Act, then a detailed show-cause notice shall be issued to the concerned office bearer of the panchayat as provided in Section 23 or Section 67A of the Regulation, as the case may be.
- (2) Along with the show-cause notice, all the evidence against the office bearer of the panchayat shall be provided.
- (3) The show-cause notice shall be served to concerned office bearer of the panchayat, through Communication Medium. If the show-cause notice is refused or not accepted, it shall be affixed in the presence of two witnesses to be considered as valid service.
- (4) Upon receiving the show-cause notice, the concerned office bearer of the panchayat shall submit a written explanation within fifteen days. If no explanation is submitted, a maximum of two reminders shall be sent. If there is still no response, the competent authority may proceed with an ex-parte decision.
- (5) If a written explanation is received, a personal hearing shall be conducted. The notice for such hearing shall clearly mention the date, time and place of hearing. The concerned office bearer of the panchayat may appear in person or through an authorized advocate.
- (6) Taking into account the absence or request of the concerned office bearer of the panchayat, the hearing may be adjourned and conducted up to a maximum of three times. Thereafter, a decision shall be taken as per rule 6.
- (7) The entire procedure, from serving notice to the final order, shall be concluded within three months. If an extension is required for reasonable cause, such reasons shall be stated in the final order.

6. *Final decision and order. –*

- (1) If allegations regarding complaint of corruption or misconduct or disgraceful behavior or abuse of power or inability to discharge duties proved, the Competent Authority specified in **Annexure-I** shall after following the procedure as provided in rule 5, take decision and pass the final order as per the provisions of the Regulation Section 23 or Section 67A, as the case may be.

- (2) The Competent Authority shall notify the final order made to the office bearer of the panchayat or as the case may be, to the complainant by delivered in person or via communication medium.

7. *Right to Appeal.* -

- (1) Any person aggrieved by the decision and final order of the competent authority as per rule 6 (1), may within a period of thirty days from the date of receiving the final order, file an appeal to the appellate authority, as specified in **Annexure II**.
- (2) After filing the appeal, the hearing process shall be completed as par as possible, within four months from the receipt of the appeal. If an extension is required for reasonable cause, such reasons shall be stated in the final order of appeal.
- (3) The appellate authority shall notify the final order of appeal, to the office bearer of the panchayat or as the case may be, to the appellant by delivered in person or via communication medium.

8. *Action against false complaints.* -

If, upon inquiry, it is found that a complaint has been made falsely or frivolously or with malicious intent, the Competent Authority may take the following actions against the complainant, -

- (a) A written warning may be issued for the first false complaint;
- (b) If the complainant is found guilty of filing multiple false/frivolous complaints, the Competent Authority may impose a ban on filing further complaints for a period of one year;
- (c) The Competent Authority or the officer of the concerned office may file police complaint against the complainant in the case of complaint found false, frivolous and vexatious repeatedly;
- (d) However, no action shall be taken against a complaint made in good faith.

Explanation: - For the purpose of this rule, the term “good faith” shall have the same meaning as defined in Section 2 (11) of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).

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

Sd/—
(Ashish Mohan)
Joint Secretary (PRI),
U. T. Administration of DNH & DD

Annexure-I

(see rule 6)

Sr No.	Panchayat Office Bearer	Competent Authority
1.	Member / Sarpanch / Upa-Sarpanch of Gram Panchayat	Chief Executive Officer of concerned District Panchayat.
2.	Member / President / Vice-President of District Panchayat	Secretary Panchayat (PRI) of the U.T. Administration of Dadra and Nagar Haveli and Daman and Diu.

Annexure-II

(see rule 7)

Sr No.	Panchayat Office Bearer	Appellate Authority
1.	Member / Sarpanch / Upa-Sarpanch of Gram Panchayat	Administrator, U. T. Administration of Dadra and Nagar Haveli and Daman and Diu OR, any Officer Authorized by the Administrator Under Sub-Section (3) of Section 23 of the Regulation.
2.	Member / President / Vice-President of District Panchayat	Administrator, U. T. Administration of Dadra and Nagar Haveli and Daman and Diu OR, any Officer Authorized by the Administrator Under Sub-Section (3) of Section 67A of the Regulation.
