

असाधारण
EXTRAORDINARY

Daman 30th November, 2015, 9 Agrahayana 1937 (Saka)

सं. : 68
No.

सरकारी राजपत्र
OFFICIAL GAZETTE



सत्यमेव जयते
भारत सरकार
Government of India

संघ प्रदेश दमण एवं दीव प्रशासन

U.T. ADMINISTRATION OF DAMAN & DIU

प्राधिकरण द्वारा प्रकाशित
PUBLISHED BY AUTHORITY

Election Commission
Daman and Diu
F-Block, 1st Floor, M.S. Apartments
Kasturba Gandhi Marg
New Delhi - 110 001

NOTIFICATION

Dated the 28th November, 2015

No. 7-13/EC/DD/2015: Whereas, the proposals for the delimitation of fifteen wards of the Daman Municipal Council (DMC) were published in the Official Gazette on 15th October, 2015, inviting suggestions/objections thereto by 6th November, 2015, in compliance with rule 3 (2)(a) of the Daman and Diu Municipalities (Election) Rules, 1995;

And whereas, the suggestions and objections received till the specified date were considered by the Election Commission for the Union Territory of Daman and Diu:

Now, therefore, in pursuance of section 10 (1) and (2) of the Daman and Diu Municipalities (Amendment) Regulation, 1994, read with rule 3 (2)(d) of the Daman and Diu Municipalities (Election) Rules, 1995, the Election Commission for the Union Territory of the Daman and Diu, upon considering all the suggestions and objections received, hereby determines the delimitation of fifteen wards of the Daman Municipal Council, which is detailed in Annex-I appended to this Notification and publishes the same in the Official Gazette and for which, a detailed map showing the extent of each ward of Daman Municipal Council is included as Annex-III.

The order of the Election Commission on the suggestions and objections received in response to its proposals dated 15th October, 2015 referred to the above for delimitation of wards of Daman Municipal Council is enclosed as Annex-II.




(Ms. Bhupinder Prasad)
Election Commissioner

EXTRAORDINARY No. : 68

DATED : 30TH NOVEMBER, 2015.

ANNEX-I

SCHEDULE TO NOTIFICATION No.7-13/EC/DD/2015 DATED 28.11.2015 OF THE ELECTION COMMISSION SHOWING TERRITORIAL BOUNDARIES OF WARDS OF DAMAN MUNICIPAL COUNCIL.

Sr. No. (1)	Ward No. (2)	Extent of the ward including its area/ location (3)	Population of the Ward (4)
1	Ward No.1	This ward starts from the boundary wall of VVIP Bangalow via Dholar Rasta, Dholar Mangelwad upto the Arabian Sea on the West including Moti Daman Ghanchiwad, Badrapore and Ferreiros. The Tekra Road leading to Yogeshwar Mandir Junction upto Main Road Hathi Baug via Moat Wall upto Culvert on the Ambawadi Main Road including Zala Plot, Assucena, Mangueral, Chithiyawad, Ekta Nagar 1 & 2, Collectorate Premises, Govt. House & Circuit House. The boundary along the creek upto Chari and the Panchayat Area in the East side.	3172
2	Ward No.2	The ward is situated on the North side of town Moti Daman along Daman Ganga River. On its West side is the Arabian Sea starting from North of Doctor Sheri, Mangelwad, including Iskat Sheri, Machhiwad area, Vachali Sheri, Ranchhodji Mandir Sheri, Mata Sheri. The South side has Doctor Sheri Road leading to Yogeshwar Mandir junction to Hathi Baug Main Road upto Moat Wall and leading towards culvert on Ambawadi Main Road.	3178
3	Ward No.3	This ward is situated at the north side of Daman Ganga River, east side of Rajiv Gandhi Setu, with west side as ward No.4 and north side of ward No.4 & 6. This ward starts from Ghanchiwad to Bank of Daman Ganga River and from Awala Falia to West side of Rajiv Gandhi setu including Masjid Falia, Kuttar Falia, Vahanwala Street, Nana Semawad and Mota Semawad.	2726

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(1)	(2)	(3)	(4)
4	Ward No.4	This ward is situated at the boundary of ward No.3, 5 and 6 with its south side the Daman Ganga River. This ward is starting from Mora Falia (North side), Rana Street to Bank of Daman Ganga River including Mora Falia, Hodi Falia, Koda Falia, Vaniawad, Saibaba Temple and old Bridge.	2700
5	Ward No.5	This ward is situated on the north side of Daman Ganga River with its west side the Arabian Sea, North side ward No.8 and East side ward No.4 & 6. This ward is starting from Sea face new Garden to Char Rasta and from Char Rasta to Jetty including South side of Master Sheri, Batti Sheri, Fort Area, Panch Rasta, Navi Ori. West side of K. K. Marg Char Rasta to Jetty, Mora Falia, Khoja Khana to School Near Garden.	2858
6	Ward No.6	This ward is situated at boundaries of ward No.3, 4 and 5 and east side of Rajiv Gandhi setu. Its west side is Kavi Khabardar Marg. north side MG road, south side Ward No.4 & 3. This ward includes old Municipal Market, M. P. Jadhav House, Prabhu Falia, Rana Street, Chhatawad, New Municipal Market, Kansarwad, Wadi Falia, Bandothkar ground, Rana Street, Bus Stand and Tourist Office. This ward is separated from Ward No.3 by Chhatawad Road.	2941
7	Ward No.7	This ward is situated on the boundary of ward No.8, 10, 11 and 14. Its southern side is MG Road. This ward is starting from Luhar Falia Road to Dhobi Talav road. Including Char Rasta Main Road upto Biblos Market, and from Char Rasta to Tin Batti including Fish Market, Luhar Falia, Tin Batti to Mahyavanshi falia via Old Police Quarter, Khatkiwad, Taxi Stand, Dhakliniwadi and Kumbharwad, Kanyakumari Complex upto Lane -1 of Dilip Nagar upto Ramdas Hospital.	2814

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EXTRAORDINARY No. : 68

DATED : 30TH NOVEMBER, 2015.

(1)	(2)	(3)	(4)
8	Ward No.8	This ward is situated at boundary of ward No.7, 9 and 5 with its west side as the Arabian Sea and east side Luhar Falia Road. This ward is starting from North of Master Sheri road to South of Fakirjiva Sheri road including Chhapli Sheri, Motegam Sheri, Kothapat Sheri, Luhar Falia, Satyanarayan Mandir, Electricity Office up to Hotel Anmol, P.W.D. rest house to Hotel Gurukripa.	2942
9	Ward No.9	This ward is situated west side of Devka Main Road at boundary of ward No.8 and 10 and has the Arabian Sea on its west side. This ward is starting from South of Dabha Sheri upto North of Fakirjiva Sheri including Andhiya Sheri, Barudiya Sheri, Chinia Sheri, Kolimar Sheri, Sangia Sheri, Ghati Sheri, Bhandarwad and till the South of Dabha Sheri.	2852
10	Ward No.10	In the west side of this ward is Arabian Sea, East side Dunetha Panchayat, North side Marwad Panchayat and at South side ward No.11, 9 and 7. This ward is starting from North of Dabha Sheri to Marwad Panchayat boundary. East side is airport road starts from Sumit Petrol Pump-Coast Guard Wall upto Marwad Panchayat including the Coast Guard Air Station, Devka Main road, Narayan Park, Marwad Hospital, Jupiter Distillery, Daji ni Wadi, Sanj Pardi, Sarvodaya Society and Diwali Nagar.	3007
11	Ward No.11	This ward is situated on the boundary of ward No.7, 10 and 14. It starts from the South Wall of Sumit Petrol Pump to Coast Guard Wall upto Vapi - Kunta Road including Dilip Nagar lane 1 to 7, and Safkripa - 1 to 4.	3415
12	Ward No.12	This ward is situated on east side of town. South side of this ward is Daman - Vapi Road, North side Vapi - Kunta Road, East side of this ward is College Campus Road and Varkund Panchayat and west side is Sagar Samrat Road. it includes Govt. College, Daman Ganga housing co. Society, Khariwad area, Supreme Society, Tirupati Society, Yogeshward Complex.	3200

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EXTRAORDINARY No. : 68

DATED : 30TH NOVEMBER, 2015.

(1)	(2)	(3)	(4)
13	Ward No.13	This ward is situated on the south of Vapi - Kunta Road upto Daman - Vapi Main Road. Its east side is Sagar Samrat Road and Ward No.12. West side is Amar Akbar Anthony Road and Ward No.14 including Khariwad, Koliwad, Soni Samaj, Nilkanth Society and Ice Factory.	2523
14	Ward No.14	This ward is situated on the boundary of ward No.7 and 13. Its north side is Daman - Kunta Main Road to Daman - Vapi Main Road in the South. Amar Akbar Anthony Road in the East side upto Dhobi Talav Road in the West. This includes Hotel Raj Palace, Manchha Complex, Roma Gas Agency, Dena Bank and Bharat Petroleum, Damania Petrol Pump, City Centre and S. V. School, Kapadia Hospital, Halpatiwas.	2652
15	Ward No.15	This ward is situated North of Daman Ganga River and east side of Rajiv Gandhi Setu. This ward starts from Vapi Daman Main Road to Mitnawad including Wadi Falia, Wad Falia, Mitnawad, Kaxi Street, Bazar Street and Indira Gandhi Niwas.	3302
Total			44282



Bhupinder Prasad
(Ms. Bhupinder Prasad)
Election Commissioner

ANNEX - II

**Election Commission
Daman and Diu,
F-Block, 1st Floor, M.S. Apartments
Kasturba Gandhi Marg
New Delhi - 110 001**

No. 7-13/EC/DD/2015

Dated the 28th November, 2015

Final order of Election Commission on delimitation of Wards of Daman Municipal Council in the UT of Daman and Diu.

The draft proposal for delimitation of fifteen wards of Daman Municipal Council in the UT of Daman and Diu was published by the Election Commission in exercise of powers under section 10 (1) and (2) of the Daman and Diu Municipalities (Amendment) Regulation, 1994, read with rule 3(2) (a) of the Daman and Diu Municipalities (Election) Rules, 1995, vide Notification No. 7-13/EC/DD/2015 dated 15th October, 2015. Suggestions and objections were invited upto 6th November, 2015. Neither the limits of the municipal area of the DMC nor the number of wards, that exist at the maximum of fifteen, have changed from what obtains in the DMC of 2005. The delimitation has become necessary as the existing DMC has a population, as per the latest decennial census which is disproportionately distributed in the wards and needs rationalization so that each ward can have the same population, as far as practicable, throughout the municipal area mandated in the Regulation.

A large number of suggestions/objections were received from different political parties, associations, groups and individuals in response to the aforementioned notification. The Commission observed that several political parties and groups/associations have supported and welcomed the draft proposal for delimitation of the DMC. But many were opposed to it including some members of the DMC who filed their objections stating that they were neither aware of the delimitation process nor were they consulted during the preparation of the draft proposal for delimitation of wards of the DMC and only when the draft notification of the Commission was published on 15th October, 2015 it came to their notice. Several objectors have wished to retain the existing ward boundaries and opposed the change.

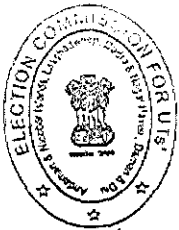


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Considering this, the Commission separately invited all the municipal councilors of DMC, including the nominated councilors, to hear their views and comments on the draft proposal of delimitation of Daman Municipal Council at Conference Hall, Collectorate, Daman on 23rd November, 2015 at 11.30 a.m. In the said hearing, views of each of the municipal councilors present in the meeting were heard by the Election Commission. The Commission thereafter held its public hearing comprising the objectors/ respondents of the draft notification, who included members of various communities, groups, associations and political parties at the same venue on 23.11.2015 in the afternoon. A summary of the views expressed by the municipal councilors and the objections/suggestions of other stakeholders and the comments of the Commission thereon is attached as Appendix – I and II.

The overwhelming views of the general public and all stake holders can be summarized as on the following issues:-

- (i) That the proposal of delimitation of DMC wards would necessitate change of all the present ward numbers and as a result would lead to change of addresses in the documents such as Voter Cards (EPIC), Aadhar Cards, Ration Cards and Passports of the residents of the DMC area. This would cause great inconvenience to the public at large.
- (ii) No prior consultations or discussions were held with the Councilors of Daman Municipal Council, who are major stake-holders in the delimitation exercise and the Administration has prepared the proposal arbitrarily.
- (iii) The delimitation proposal of DMC would lead to a reduction of representation of the fishermen community (Machhi Samaj) and the minority community. In the present DMC the representation of the Machhi Samaj extends to 5 or 6 wards but in the new proposal it would decrease to 3 wards only. Also the present delimitation proposal would reduce the representation of Moti Daman from existing 3 wards to 2 wards.
- (iv) In the present draft proposal of delimitation, Dilip Nagar Colony has been divided between 3 wards, which is arbitrary and would cause inconvenience to the residents of that colony.



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- (v) Some discrepancies in the draft notification of the proposed map and the corresponding textual explanation for the ward need to be corrected.
- (vi) There is no change required in the existing wards. The new DMC should take a view on delimitation after the forthcoming elections.

Welcoming the views/suggestions of the Councilors and the other stakeholders, the Commission informed that delimitation of DMC wards could not be taken up later as the delimitation of wards of the Panchayats in the UT of Daman was completed just before the elections of the new Panchayats and if the delimitation of the municipal area is not taken up now it can only be done after 10 years, with the next delimitation, by which time the gap in the wardwise distribution of population would widen even further. Should the municipal area be increased the Panchayat area would commensurately be reduced which would necessitate another delimitation exercise. The delimitation proposal was drafted by the Administration based on the criteria of trying to equalize the population in each ward with small changes in the geographical boundaries. The Commission had found the proposal appropriate in terms of section 10 of the Daman and Diu Municipalities (Amended) Regulation, 1994, and due procedure was followed to publish the draft proposal on 15.10.2015 to invite suggestions and objections of the general public and all stakeholders by 6th November, 2015. The Commission emphasized that the delimitation exercise is undertaken on the basis of the latest decennial census which was published only in 2014 and due to some hurdles of a court case relating to the dissolution of DMC etc. the delimitation exercise could not be taken up and thereafter the Commission was busy with the delimitation of Panchayats in the UTs of Andaman & Nicobar, Daman & Diu and Dadra & Nagar Haveli preceding the General Elections held in September/October this year. Further as the limits of DMC had not been increased by the Administration and the number of seats were at the maximum limit envisaged in the Regulation, hence the Election Commission was left with the only option of rationalizing the population within the existing



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15 wards to the extent practicable. To deal with the problem of change of addresses, the Election Commission in consultation with the Administration decided to freeze the existing addresses and delink ward numbering in future addresses. The Development Commissioner, who was present during the hearing assured that the Administration shall issue a notification to this effect immediately after the publication of the delimitation order and intimate the postal authorities separately about the same. As such, any problem anticipated due to a change of address would be obviated.

After hearing the views of the objectors, it was observed by the Commission that every individual cannot be satisfied and advised that the prominent members of the respective communities and public representatives sit together with the Chief Officer of DMC and other senior officers of the Administration to arrive at a reasonable consensus. The population data being available with the Administration, a solution had to be found to rationalize the population of wards in the best possible manner required for delimitation. Also invited were all the representatives of political parties including the Member of Parliament, Sh. Lalu Bhai Patel to discuss the delimitation proposal and advised that all concerned officers and representatives should participate so that the Commission can firm up its view on the proposal.

Field visits were made by the Commission to the areas where changes were proposed to verify and assess the ground situation especially in respect of the claims and objections of the Machhi Community on the delimitation of wards. After undertaking the visits, the Commission also met the community leaders separately, who had responded to the invitation to discuss the issue further. Upon discussing several alternatives, they were advised to place their views before the CEO, DMC and the Development Commissioner by the afternoon of 25th November, 2015 and were assured that the Commission would take its final considered view on their demands in keeping with their concerns, the general principles of delimitation and the ground situation so as to maximize the benefit to all populations of the wards, as far as practicable.



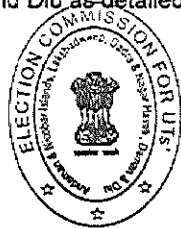
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EXTRAORDINARY No. : 68

DATED : 30TH NOVEMBER, 2015.

Another round of detailed discussions with the representatives of the fishermen community (Machhi Samaj), the members of the Dillip Nagar Association and other stake holders was then held by the designated officials calling among others the councilors like Shri Manoj Naik who had expressed a keenness during the public hearing to participate consultations for a better solution. After careful deliberation, changes in the textual boundaries of the wards and the map of the proposed wards was arrived at and forwarded to the Commission for a final decision. The Commission has examined the revised formulation of the wards and correlated it with the map and their corresponding textual boundaries. The Commission has found that all the 15 wards have been divided in an equitable manner, to the extent practicable, and ward boundaries have been delineated on the basis of major roads and physical features and contained geographically in compact areas. The proposals fulfill the broad principles of delimitation where limits of the DMC wards have been carved out on the basis of the latest decennial population. The population of the new 15 wards ranges from 2523 to 3302, which is far more balanced compared to the population as it obtains in the existing DMC wards, which has 3 wards with less than 2000 population (1904, 1899 and 1990) and single wards with 8,375 and another with 5,585 each among the fifteen wards.

Hence, giving due consideration to all objections/suggestions and the views of the political parties, Municipal Councilors, groups, associations and other stakeholders and complying with the provisions of section 10 of Daman and Diu Municipalities (Amendment) Regulation, 1994 and Rule 3 of Daman and Diu Municipalities (Elections) Rules, 1995, the Commission partially revises its draft delimitation notification published on 15th October, 2015 to rationalize the ward boundaries of the existing DMC and hereby orders the final delimitation of the fifteen wards of the Daman Municipal Council in the UT of Daman and Diu as detailed in Annex-I and Annex-III.




(Ms. Bhupinder Prasad)
Election Commissioner

Appendix-I

Views/Suggestions of the Councillors of DMC and the Commission's comments/order thereon

Sl. No.	Name of the Councillor and his/her Ward No.	Gist of views/suggestions	Election Commission's comments/order on the views/suggestions mentioned at Col. No.2
1	Shri Mukesh Patel, President, Daman Municipal Council (Ward No.2)	He appreciated the draft proposal of the Election Commission and stated that this has been done as per the provisions of Daman and Diu Municipalities (Election) Rules, 1995.	The Commission noted the statement.
2	Shri Manoj Naik, Councillor (Ward No. 14)	He also welcomed the Election Commission's proposals. He stated that the Anti defection law should be brought before the general election to the DMC. He welcomed the delimitation proposal as the Election Commission has assured that residents would not require any change of addresses in their documents such as Passports, Pan Cards, Ration Cards, Aadhaar Cards and EPIC Cards after the new delimitation as their present addresses would be frozen by the Administration. He suggested that division of ward No. 10 (old ward No. 14) should have been done vertically so as to ensure greater clarity and equal distribution of population in its contiguous wards.	(1) The Commission noted the statement. (2) It was decided in consultation with the UT Administration that the present addresses would be frozen and further addresses would be delinked from ward numbers. The Development Commissioner, Daman and Diu assured that a notification along with a letter to the postal authorities informing about this decision would be issued by the Administration immediately after the publication of the final delimitation order. (3) As for the introduction of Anti Defection Law, the UT Administration has already sent a proposal to MHA to make amendments in the Municipal Regulation for making suitable provisions for anti defection. (4) The division of Ward No.10 has been done vertically in consultation with other stake holders.
3	Ms. Dhodi Pushpa Kalyan, Councillor of (Ward No.12)	She stated that existing boundaries of wards of Daman Municipal Council should remain the same and no changes should be done at this stage.	The delimitation process cannot be postponed as the delimitation of Panchayats in the UT has already been done, which is also a local body. If the delimitation is not done at

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			<p>this stage, it can be undertaken after 10 years which will lead to a wider gap of population in different wards. If it is so, it would be difficult to manage administratively and the development of the wards be hampered.</p>
4	Shri Mulla Mohamedidries Councilor (Ward No. 5)	He stated that he is in favour of the proposal but the boundary of his existing ward No. 5 should remain the same.	<p>(1)The Commission noted the statement. (2) The existing boundaries of ward cannot be retained, as the population in some wards has changed drastically.</p>
5	Shri Ashok H. Tandel, Councilor (Ward No.11)	He stated that the DMC was not consulted during the preparation of draft delimitation proposals. He further stated that they were not able to give their suggestions in this regard. The Administration should have consulted the DMC before the preparation of its proposal for delimitation. The process could have been started immediately after publication of census figures in 2014.	<p>(1)All the Councillors including the nominated members have been given a special hearing by the Commission and their views/suggestions taken into account to the extent possible while finalizing the delimitation order. (2) The delimitation process could not be started in 2014 due to hurdles like court cases relating to the dissolution of DMC. The Commission, thereafter, was busy undertaking the delimitation of Panchayats in the UTs of A&N Islands, Daman & Diu and DNH where general elections to Panchayats were held in the mid of September/October, 2015.</p>
6	Shri Apsi Damania, Nominated Member of Daman Municipal Council	He stated that the distance of the polling stations should not be more than 2Kms. He further stated that number of wards may be increased.	<p>(1)it will be ensured that distance of polling stations is reduced. The general public can file their objections, if any, when the list of draft polling stations will be published. (2)The number of wards cannot be increased as it has already reached the maximum limit of 15 reflected in the Regulation.</p>
7	Shri Jignes Jogui Councilor (Ward No. 8)	He welcomed the proposal of the Election Commission but mentioned that the councilors of the DMC were not even asked to	<p>(1)The Commission noted the statement. (2)The issue of consultation of DMC has already been</p>

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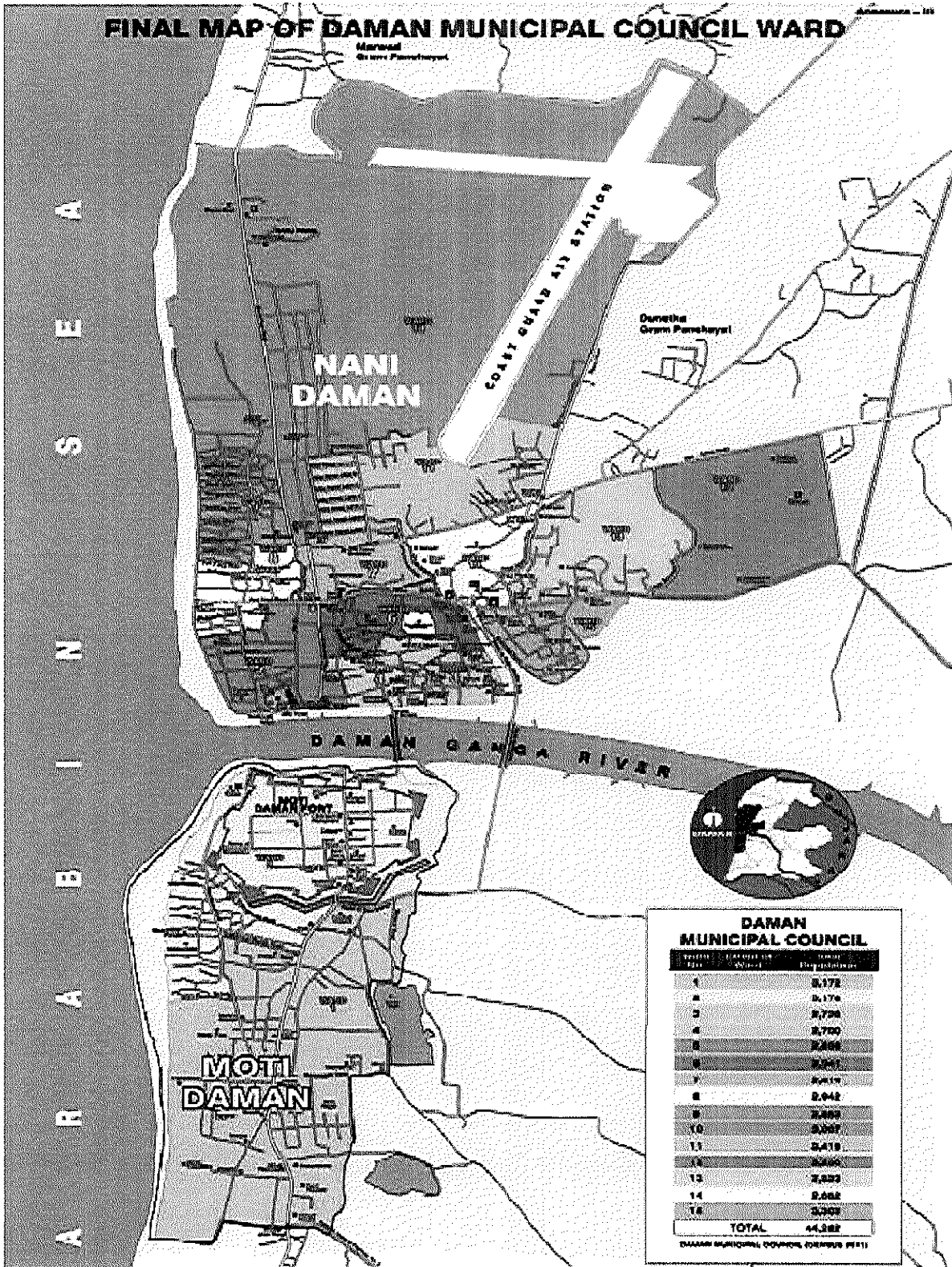
		give their views in this regard. They were never consulted. He further suggested that the delimitation may be taken after the new body of DMC comes into existence.	discussed in the preceding paragraphs. (3) The postponement of delimitation has also been discussed in the preceding paragraphs.
8	Shri Manilal G Contractor, Nominated Member of DMC	He stated that existing wards should remain unchanged. He requested that the changes made in the wards may be explained.	(1)The status quo of the delimitation cannot be maintained for the reasons already explained in the preceding paragraphs.
9	Shri Anil Kr. D. Tandel, Councilor (Ward No.1)	He stated that boundaries of Ward No.6 and 3 have not been correctly reflected in the map as these do not coincide with the textual boundaries shown in the draft proposal.	The Commission noted the suggestions and asked the CEO, DMC to make changes. The required changes have been incorporated in the final map corresponding with the textual boundaries of both the wards.
10	Od Kapila Sureshbhai, Councilor (Ward No.13)	She stated that no change is required and the old delimitation order should remain.	The issue has already been discussed hence no further comment.
11	Ms. Simple Tandel, Councilor (Ward No.6)	She stated that the delimitation may be postponed and in Moti Daman there should be 3 wards as before and not 2 wards as proposed in the draft delimitation notification.	(1)The issue of postponement of delimitation has already been discussed. (3)The population of the existing three wards in Moti Daman is such that as per the guidelines there cannot be three wards to justify the equal distribution of population.
12	Shri Rana Nila Pramodbhai, Councilor (Ward No. 7)	He stated that the proposal should be deferred and ward no. 7 should not be changed.	(1)The postponement of delimitation has already been clarified. (2)Very few changes have been made in Ward No.7 to equalize its population with other wards.
13	Ms. Sangeetaben Patel, Councilor (Ward No. 15)	She stated that she is in favour of the delimitation proposal as her ward no. 15 was very large, even while many wards were much smaller.	The Commission noted the statement and has divided ward No.15 into 3 wards as per the requirement for equal distribution of population.

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EXTRAORDINARY No. : 68

DATED : 30TH NOVEMBER, 2015.



EXTRAORDINARY No. : 68

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Appendix - II

List of objections / suggestions received upto 06.11.2015 in response to the Election Commission's Notification No. 7-13/EC/DD/2015 dated 25.10.2015 regarding delimitation of the wards of the Daman Municipal Council and the Commission's comments thereon

Sl. No.	Name of the objector / respondent with date of his letter	Gist of suggestion / objection	Election Commission's comments / order
SUPPORTED THE PROPOSED DELIMITATION			
1.	Letter dated 05.11.15 Shri Ketan Patel, President, Pradesh Congress Committee, Daman and Diu	He has welcomed the proposed delimitation of wards of DMC.	The Commission has taken note of the statement.
2.	Letter dated 30.10.2015 from State President, Samajwadi Party Daman and Diu, 114, Red cross Bhavan, Daman		
3.	Letters received from Daman Jilla Mahayanshi Samaj and Shri Nazir A. Dingmar, Ex. DMC, Councillor both dated 31.10.2015.		
4.	Letters received from Shri Amit N. Rathi, State President, Lok Janshakti Party, Shri Badruddin Beg President, Khandesh Sunnat Jamat/ Chairman, Daman Diu Pradesh Congress Committee (Minority Department), Shri Balvant Uttar Bhartiya Sanskrutik Seva Samiti and Shri Jaantilal M. Patel, Ex. Vice President, DMC all dated 03.11.2015	The delimitation of wards in Municipal area as proposed is in the best interest of citizens of the Municipal area.	The Commission has taken note of the statement.
5.	Letter dated 04.11.2015 from Shri Balubhai D. Patel, President, Jantadal (United).		
6.	Letter dated. 30/10/2015 received from Shri Mukesh Kanti Patel, President, DMC, Daman	He is in favour and support of the delimitation which has been published recently.	The Commission has taken note of the statement.

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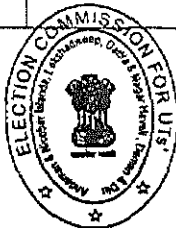
7.	Letter dated, 29/10/2015 received from the President, Marathi Sanskritik Mandal	He has strongly recommended to consider the delimitation as proposed.	The Commission has taken note of the statement.
8.	Sh. Salim Anwar Memon, Daman Memon Jamat, Nani Daman, Daman	In favour of delimitation as proposed by the Commission.	The Commission has taken note of the statement.
9	Sh. Mohandbhai V. Patel, President, Shree Daman Jilla Koli Samaj	in favour of delimitation as proposed by the Commission.	The Commission has taken note of the statement.
OPPOSED THE PROPOSED DELIMITATION			
10	Letter dated, 2/11/2015 received from Chairman, Dilip Nagar Development Association .	Status quo may be maintained. Addresses of residents should not be affected. There is a change of population in Ward No. 14 & 15, hence delimitation may be restricted to these two wards only. The representation of Machhi Community may be retained as it is in the existing DMC. If the delimitation is imperative, Dilip Nagar area may be kept in a single ward for the convenience of the people of Dilip Nagar area. The representation of minority community like Muslims and Halpatis be protected.	Status quo cannot be maintained for the reasons explained in the comments mentioned against SI. No. 11. To deal with problem of change of addresses, the Commission in consultation with the Administration has decided to freeze the existing addresses and delink ward numbers in future addresses. The Development Commissioner who was present during the public hearing assured that Administration shall issue a notification in this regard immediately after the publication of the delimitation order and intimate the postal authority about the same. As such problems anticipated due to change of address are not likely. Simple bifurcation of Ward No. 14 & 15 cannot be done without increase in the total number of seats/wards. The existing Regulation places an upper limit of 15 seats/wards, hence population has to be re-distributed among the existing wards. Dilip Nagar has been kept in one ward. The boundary of ward No.3 has been changed to secure the interest of the minority communities.
11	Letter dated, 26/10/2015 received from Shri Vasubhai Patel, State President, Bhartiya Janata Party Daman and Diu Pradesh (UT).	Status quo may be maintained since changes ,may lead to public disturbances and unrest. The matter of delimitation may be left to the new elected body of DMC.	Change in the distributions of population among the wards in the Municipal area is warranted as per section 10 (1) (2) of the regulation. A more uniform distribution of population in wards is necessary to ensure better Governance and give equal weightage to all voters. The present distribution of population in wards is very skewed and does not provide the same weightage to all voters The Commission explained the rationale and principles of delimitation. It was further explained that the delimitation of

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			DMC wards could not be taken up later as the delimitation of wards of Panchayats in the UT of Daman was completed just before the elections of the new Panchayats and if the delimitation of the municipal area is not done now it can only be done after 10 years, with the next delimitation, by which time the gap in the ward wise distribution of population within the DMC would widen even further. If the Administration decides that the Municipal area should be increased then the Panchayat area would have to be reduced proportionately which would require a fresh delimitation exercise of Panchayats. Election to Panchayats were recently completed for a term of 5 years. So no fresh elections on the basis of any new Panchayat boundaries can be held for another 5 years.
12	Letter dated. 2/11/2015 received from Kessur Goan, Aam Aadmi Party Daman & Dlu	There should not be any discrimination regarding caste or creed during delimitation of the wards. There is no need of delimitation of wards. This is a political issue or an administrative conspiracy. Suggested that in case the population of a ward is above the limit, bifurcation of the Ward No.14 and Ward No. 15 can be made. Also suggested that before the final delimitation of wards, all the political parties of Daman, social bodies and NGOs of Daman including all the councilors of DMC and members of District Panchayat may be consulted. The proposed delimitation would necessitate change of addresses in the documents such as Voter Cards, Aadhar Card, PAN Cards etc.	The delimitation of wards is done based on the latest census figures as per the Regulation and not on the basis of caste or creed. Simple bifurcation of Ward No. 14 & 15 cannot be done without increase in the total number of seats/wards. The existing Regulation places an upper limit of 15 seats/wards, hence population has to be re-distributed among the existing wards. The Commission has heard all the political parties, association, groups and Councilors of DMC in the public hearing and their views/sentiments have been taken on board before finalizing the final delimitation order. The Commission has ensured that the issue of change of addresses in the documents of the residents is settled. Also see comments at SI.No.10.
13	Letter dated 27/10/2015 received from the people of Master Sheri, Nani Daman.	Status quo may be maintained since changes may lead to public disturbances and unrest. The matter of delimitation may be left to new elected body of DMC.	The issue has already been explained at SI.No.11.
14	Letter dated. 23/10/2015, 26/10/2015, 28/10/2015, 2/11/2015 & 05/11/2015 received from Shri Vallabh Mitha Tandel and 7107 Others with similar content.	They came to know about the delimitation process only when the draft notification was published in local newspapers on 16.10.2015. Due to the said delimitation a great injustice will be meted to the people of DMC, hence objected the proposed delimitation. Requested to maintain the status quo.	The issue has been explained at SI.No.11.

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15	Letter dated. 16/10/2015 received from Shri Manojkumar I. Naik, State Vice President, Bhartiya Janata Party, Daman and Diu Pradesh(UT)	The number of voters particularly in wards Number 14 & 15 are about 6500 & 6000 respectively, hence requested for delimitation of all 15 wards to equalize the voters as specified in the Regulation. There is no anti-defection law in Daman Municipal Council and thereby about 10 times No Confidence Motion took place during the year 2011-2016 which hampers the development of the Municipal area.	The Commission has taken note of the statement. The Administration has already sent a proposal to the MHA to amend the Regulation and make specific provision for anti-defection.
16	Letter dated. 30/10/2015 received from Secretary, Shree Machhi Mahajan, Nani Daman.	The proposed delimitation would necessitate change of addresses in the documents such as Voter Cards, Aadhar Card, PAN Cards etc. The proposed delimitation or wards will create a great injustice and deprive their right of representation in the DMC, hence rejected the proposed delimitation.	The first issue has already been explained at Sl. No. 10. The Machhi Community's concerns were taken on board and necessary changes to protect their right of representation have been made to the extent possible in the final delimitation order after consultation with the Community leaders and Administration officials by the Commission.
17	Letter dated. 31/10/2015 & 02/11/2015 & 05/11/2015 received from Mitna Khariwad Samaj, Nani Daman.		
18.	Letters received from Shree Sagar Panch, President, Shree Daman Jilla Halpat Samaj, President, Shree Audichaya Sahastra Brahman Samaj, President Shree Borajiva Sheri Mahajan, Shree Sangia Sheri Vijaya Mandli, Shree Mora falia Mahajan Mandal, Shree Machhi Mahajan Chinla Sheri, Shree Kothapat Sheri Mahajan Mandal, Shree Koda falia Mahajan Mandal, Shree Holi falia, Shree Fakirjiva Sheri Mahajan Mandlai, Shree Dabha Sheri Machhi Mahajan Mandal, Shree Chhapali Mahajan Mandal, Shree Barudla Sheri Mahajan	The proposed delimitation would also amount change in the existing house numbers, as the wards and its boundaries would be changed drastically which will be a hindrance for the unemployed and needy people opting for Portuguese nationality. The proposed delimitation will directly affect the documentation process needed for obtaining Portuguese nationality and also adversely affect effective representation of our community into the electoral process as the draft proposal decreases number of wards and also seat in area where our community mostly resides in majority. Further the delimitation be carried out with due consultation with the new council.	The issue of change of addresses has been settled to the satisfaction of the residents as explained at Sl.No.10. The delimitation of wards has been done on the principle of equal distribution of population and not on the basis of any community population in any ward. The necessity of having the delimitation now has already been explained in the preceding comments at Sl. No.11. Also see comments at Sl.No.16 and 20.

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EXTRAORDINARY No. : 68

DATED : 30TH NOVEMBER, 2015.

<p>Mandal, Shree Parkota Sheri Mahajan Mandal, Shree Andhia Sheri Mahajan Mandal, Motegam Sheri Mahajan, Ghati Sheri Mahajan Mandal, Kolimar Sheri Mahajan Mandal, Batti Sheri Machhi Samaj, Shri Aspi Damania Ex. DMC Councillor. Shree Prajapati Samaj, The Dawoodi Bohra Jamat of Daman. Shree Machhi Mahajan Kadaiya Daman, Shree Machhi Mahajan, Secretary, Matsya Udyog Vividh Karyakari Sahakari Society Ltd., Shri Sanjay K Dalal, 9/403, Navi Ori, Shri Ashok Haribhai Tandel, Councillor (Ward No.11), Smt. Pushpa Kalyan Dhodi Councillor (Ward No. 12), Smt. Nila Pranodbhai Rana, Vice President DMC, Shri Jignesh Jogui, DMC Councillor, Ward No. 8, Shri Pankhes Mithabhai, DMC Councillor, Ward No. 9, Shri Shaikat A. Mithani DMC Councillor, Ward No.4, Shri Tandel Anilkumar Devjibhai, DMC Councillor, Ward No. 1, Smt. Simpal Chandrakant Tandel. Ex. President, DMC, Daman, Smt. Oad Kapila Sureshbhai, DMC, Councillor, Ward No.13, Shri Kodrawala Jitendra Raviabhai, DMC Councillor, Ward No. 10, Shri Kadri Mehboob Syed Maksood, DMC Councillor, Ward No.3</p>	<p>Same as pre-page.</p>	<p>Same as pre-page.</p>
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19	Letter dated. 06/11/2015 received from Shri Lalubhai B. Patel. Hon'ble MP, Daman and Diu (UT)	The exercise of delimitation may be taken up after the election of DMC so that views of the new elected body can also be taken. The delimitation process of DMC wards will raise a lot of issues with regard to the numbering of property necessitating changes in all the documents like Ration Card, Passport, Election Card etc. Suggested that the said exercise be kept in abeyance and may be done diligently and after giving considerable thoughts to eliminate the bottlenecks which may rise due to the same.	The issue of change of addresses has been settled. see comments at Sl.No.10 The issue of postponement of delimitation has already been explained in the preceding comments at Sl.No.11. The Ministry of Home Affairs has declined to stop the delimitation process vide its letter dated 16.11.2015 in response to the Administrator's letter dated 21.10.2015.
20	Letter dated. 06/11/2015 received from Shri Vishal Tandel.	The present proposal/draft published is totally vague. The draft does not mention about the house numbers nor the details of entire wards. The map of proposed delimitation was not displayed at mentioned place. It was also not placed in the website www.daman.nic.in as stated in the notification. Since the Administrator and the Election Commissioner have written to the MHA to increase the upper limit of wards from 15 by amending the Municipal Regulation, the process of delimitation may be kept in abeyance. It is advised to withdraw or put the present draft notification in abeyance because of the lack of proper feedback and information made available in the draft notification, as it considers only the name of the streets and not the house numbers and the population of the particular street and it was not possible to share logical views.	The proposal of delimitation of the DMC wards in the draft published is clear in term of its areas, geographical compactness and population etc. Since boundary of each ward has clearly been indicated /defined, there is no need of mentioning the house numbers as all the houses coming within the defined boundary of each ward will comprise in that ward. The map of the proposed delimitation along with textual boundaries was displayed at mentioned places as reported by the Administration. Enhancing the upper limit of seats in the DMC can only be done by the Administration once the upper limit of Wards is enhanced in the Regulation. This has to be done by an amendment of the Regulation by the Government of India. The process of delimitation cannot wait as the existing distribution of population in the DMC Ward is very skewed and uneven, which is not good for governance and has to be uniformly distributed as per the Regulation to provide the same weightage to all voters. The same can only be implemented after these amendments are notified in the Regulation. However at this point of time, the area of DMC cannot be extended as concerned Panchayats have been constituted recently for 5 years term. Rest of the issues are already clarified in detailed preceding comments at Sl.No.11.
21	Letter dated. 05/11/2015 received from Smt. Hemaben S. Patel, Secretary ,	After 2011, 4 years have passed but neither the UT Administration nor the Election Commission have applied their mind on the delimitation	The issues have already been explained in the preceding comments Sl.No.11.

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	Daman Diu Artisans Federation, Prakash Falia, Dalvada	process and at this stage when the general election of DMC is at the door step this process is initiated on war footing keeping the public sentiments and feeling aside, hence objected the delimitation proposal.	
22	Letter dated. 05/11/2015 received from Smt. Vaishali Vachel, President, Youth Women Empowerment Foundation, Dilipnagar.	After 2011, 4 years have passed but neither the UT Administration nor the Election Commission have applied their mind on the delimitation process and at this stage when the general election of DMC is at the door step this process is initiated on war footing. Section 4 needs to be amended which restricts one Municipality in one district. Section 9 which restricts maximum No. of seats to 15 and may be enhanced to 25. Anti Defection Law may be included in the Daman and Diu Municipalities (Amended) Regulation, 1994.	The issues have already been explained in the preceding comments SI.No.11.
23	Letter dated. 04/11/2015 received from Shri Umesh Babubhal Patel, President, Youth Action Force, Daman-Diu	<p>The Administrator, has written to Home Secretary, Govt. of India, vide letter dated 21.10.2015 to widen the boundaries of existing DMS and carry out the delimitation of DMC wards after the new Municipal body is reconstituted in January, 2016. Hence, it is proposed to prolong the said proposed delimitation after reconstitution of Municipal Council with due consultation of the newly elected Council in Daman.</p> <p>Comparing the census data of 2001 and 2011, there is a marginal increase in population in Ward No. 14 and Ward No.15, hence the "The Daman Municipalities (Amended) Regulation 1994" needs to be suitably amended which restricts maximum number of wards of 15 so that seats can be increased and the population can be divided rationally without making any drastic changes in the existing wards.</p> <p>The proposed change in wards will also affect the address proofs and other identities which will lead to the problem of acquiring Portuguese nationality.</p> <p>The Chief Officer, DMC has proposed draft delimitation on behalf of the UT Administration without consulting the people of the DMC area and the Council and proposed</p>	<p>The Ministry of Home Affairs has declined to stop the delimitation process vide its letter dated 16.11.2015 in response to the Administrator's letter dated 21.10.2015.</p> <p>The other issues have already been explained in the preceding comments SI.No.10, 11, 16 & 20.</p>

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	<p>wrong and misleading delimitation that has hurt the sentiments of the people at large.</p> <p>There should not be difference of 10% plus-minus of number of voters among the wards. But proposed notification has erroneously and irrationally divided the wards hence it is not tenable and against spirit of law.</p> <p>The present proposed delimitation appears tainted with malice. The delimitation prima facie seem intentionally drafted to benefit some few political leaders at the cost of snatching the right of others.</p> <p>The population has been divided in such a manner that many communities will be deprived of their number of representatives and also in some wards some community will be left in minority.</p> <p>Suggested that the status quo may be maintained and "The Daman Municipalities (Amended) Regulation 1994" be suitably amended so that irrational wards be possibly rationalized by adding wards and dividing the irrational wards based on the population.</p>	<p>Same as pre-page</p>
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