

NO.LAW/DNH/GDCCACTS/

Dated: /03 /2018

Whereas, the Dadra & Nagar Haveli (Miscellaneous provision) Regulation 1963 was enacted by the Legislative Assembly in the fourteenth year of republic of India to provide for the constitution and organization of the District and subordinate Civil courts in the Union territory of Dadra & Nagar Haveli.

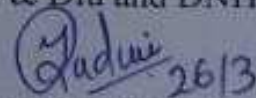
Whereas, the said Act was amended in the year 1986 titled as "the Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provisions Amendment) Regulation, 1986 and further amended as "the Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provisions Amendment) Regulation, 2010" which is referred to as Principal Act, as in force in the Union Territory of Dadra and Nagar Haveli.

Whereas, the said Regulation is required to be amended in order to meet the present circumstances and for smooth functioning of the District Court and Subordinate Civil Courts.

Therefore, the draft of proposed amendments is to be carried out in "the Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provisions Amendment) Regulation, 2010" attached herewith (uploaded on the NIC website) is hereby published calling suggestions/views from public/other stake holders.

The general public/other stakeholders may furnish their suggestions/views in writing, if any, within 30 days from the date of publication of the draft amendments in the official gazette of U.T.of Dadra and Nagar Haveli to the Law Secretary, Secretariat, Dadra Nagar Haveli, Silvassa-396220.

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


(Rohit P. Yadav)
Law secretary

1. P.S to Advisor to the Hon'ble Administrator, Secretariat, Silvassa for kind information
2. P.A to Advisor to the Hon'ble Administrator, Secretariat, Silvassa for kind information
3. The Assistant Director (Govt. Printing press), Secretariat, DNH with a request to publish the above along with its Annexure in the Official Gazette of Daman & Diu
5. The State Informatics Officer, National Informatics Centre, Secretariat, DNH with a request to upload the notification along with its Annexure for wide publicity.
6. All Head of Offices, Dadra & Nagar Haveli with a request to place the above on the notice board for perusal of the public in general.

**THE DADRA AND NAGAR HAVELI (CIVIL COURTS AND MISCELLANEOUS PROVISIONS)
AMENDMENT REGULATION, 2018**

(No. of 2018)

Promulgated by the President in the Sixty-eighth year of the Republic of India.

A Regulation further to amend the Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provision) Regulation, 1963.

In exercise of powers conferred by clause (1) of article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him:--

1. (1) This Regulation may be called the Dadra and Nagar Haveli (Civil Courts and Miscellaneous Provisions) Amendment Regulation, 2018. *Short title and commencement.*

(2) It shall come into force at once.
- Amendment in section 5 (8 of 1963) (3 of 2010)* 2 In section 5 of the principal Regulation, in sub-section (2), in clause (b), for the words "one lakh rupees" the words "five lakh rupees" shall be substituted. *Jurisdiction on courts or the District Judge and the Civil Judge.*
- Amendment in section 6 (8 of 1963) 1 of 1986 3 of 2010)* 3 In section 6 of the principal Regulation, in sub-section (2), in clause (a), for the words "one lakh rupees" the words "ten lakh rupees" shall be substituted. *Appeals.*
- Amendment in section 7 (8 of 1963) 3 of 2010)* 4 In section 7 of the principal Regulation, in sub-section (1), for the word "three thousand rupees" the words "twelve thousand rupees" and for the words "one thousand and five hundred rupees" the words "six thousand rupees" shall be substituted. *Small cause jurisdictions of court of the Civil Judge.*
- Insertion of new section* 5 After section 13, of the Principal Regulation, the following shall be inserted:- *Pending proceedings.*

"13A (1) all suits in which the amount or value of the subject matter does not exceed rupees five lakhs and which are pending before the Court of Civil judge (Senior Division), immediately, before such commencement, shall stand transferred to the concerned Court of Civil Judge (Junior Division) and such court may deal with such suit from the stage which was reached before such transfer or from any earlier stage or de-novo as such court may deem fit;

(2) all appeals in which the amount or value of the subject matter does not exceed rupees ten lakhs and pending before the High Court immediately before such commencement, shall stand transferred to the concerned District Court and such District Court may deal with such appeal from the stage which was reached before such transfer or from any earlier stage or de-novo as such court may deem fit;

Provided that, this decision shall not apply to any suits and appeals which are pending before the Court of Civil Judge (Senior Division) or as the case may be, before the High Court, which are statutorily provided under the relevant enactment before such Court”.

THE DAMAN AND DIU CIVIL COURTS (AMENDMENT) REGULATION, 2018

(No. of 2018)

Promulgated by the President in the Sixty-ninth year of the Republic of India.

A Regulation further to amend the Goa, Daman and Diu Civil Courts Act, 1965 as in force in the Union territory of Daman and Diu.

In exercise of powers conferred by clause (1) of article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him:--

1. (1) This Regulation may be called the Daman and Diu Civil Courts (Amendment) Regulation, 2018. *Short title and commencement.*
(2) It shall come into force at once.
- Amendment in section 20 (4) (16 of 1965) (1 of 2010)* 2 In section 20 of the principal Regulation, in sub-section (4), for the words "one lakh rupees" the words "five lakh rupees" shall be substituted. *Classes of Civil Judges and their jurisdiction.*
- Amendment in Proviso to section 22 (16 of 1965) (1 of 2010)* 3 In Proviso to section 22 of the principal Regulation, for the words "one lakh rupees" the words "ten lakh rupees" shall be substituted. *Appeals from his decision.*
- Amendment in Proviso to section 24 (16 of 1965) (1 of 2010)* 4 In Proviso to section 24 of the principal Regulation, for the words "three thousand rupees" the words "twelve thousand rupees" and for the words "one thousand and five hundred rupees" the words "six thousand rupees" shall be substituted. *Power to invest Civil Judges with small cause powers.*
- Amendment in Proviso to section 25 (16 of 1965) (1 of 2010)* 5 In Proviso to section 25 of the principal Regulation, for the words "one lakh rupees" the words "ten lakh rupees" shall be substituted. *Power to invest Civil Judges with jurisdiction under special law.*
- Insertion of new section* 5 After section 25, of the Principal Regulation, the following shall be inserted:-

"13A (1) all suits in which the amount or value of the subject matter does not exceed rupees five lakhs and which are pending before the Court of Civil judge (Senior Division), immediately, before such commencement, shall stand transferred to the concerned Court of Civil Judge (Junior Division) and such court may deal with such suit from the stage which was reached before such transfer or from any earlier stage or de-novo as such court may deem

fit;

(2) all appeals in which the amount or value of the subject matter does not exceed rupees ten lakhs and pending before the High Court immediately before such commencement, shall stand transferred to the concerned District Court and such District Court may deal with such appeal from the stage which was reached before such transfer or from any earlier stage or de-novo as such court may deem fit;

Provided that, this decision shall not apply to any suits and appeals which are pending before the Court of Civil Judge (Senior Division) or as the case may be, before the High Court, which are statutorily provided under the relevant enactment before such Court”.