



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Panchayat Raj  
(Amendment) Bill, 2015**

(Bill No. 6 of 2015)

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(To be introduced in the Legislative Assembly of the State of Goa)

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**GOA LEGISLATURE SECRETARIAT  
ASSEMBLY HALL, PORVORIM, GOA  
MARCH, 2015**

**The Goa Panchayat Raj  
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BILL

further to amend the Goa Panchayat Raj Act,  
1994 (Goa Act 14 of 1994).

5 Be it enacted by the Legislative Assembly of  
Goa in the Sixty-sixth Year of the Republic of  
India, as follows:—

**1. Short title and commencement.**— (1) This  
Act may be called the Goa Panchayat Raj  
10 (Amendment) Act, 2015.

(2) It shall be deemed to have come into force  
on the 4<sup>th</sup> day of February, 2015.

**2. Amendment of section 2.**— In section 2 of  
the Goa Panchayat Raj Act, 1994 (Goa Act 14 of  
15 1994) (hereinafter referred to as the “principal  
Act”), after clause (16), the following clause shall  
be inserted, namely:-

“(16A) **“political party”** means a political  
party as defined under clause (f) of sub-section  
20 (1) of section 2 of the Representation of the  
People Act, 1951 (Central Act 43 of 1951);”.

**3. Amendment of section 117.**— In section  
117 of the principal Act,—

(i) in sub-section (2), for the word "**thirty**", the word "**twenty-five**" shall be substituted;

(ii) in sub-section (3), for the word "**twenty**", the word "**twenty-five**" shall be substituted.

4. **Amendment of section 119.**— In section 119 of the principal Act, in clause (a), for the expression "**30 and 20**", the expression "**25 and 25**" shall be substituted. 5

5. **Insertion of new section 133A.**— After section 133 of the principal Act, the following section shall be inserted, namely:— 10

"133A. **Election of the members for Zilla Panchayats.**— The election of the members for Zilla Panchayats from constituencies of a Zilla Panchayat shall be for the candidates sponsored by political party as defined under clause (16A) of section 2 of the Act. However, independent candidates shall also be eligible to contest as independents". 15

6. **Repeal and Saving.**— (1) The Goa Panchayat Raj (Amendment) Ordinance, 2015 (Ordinance No.2 of 2015) is hereby repealed. 20

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act. 25

### **Statement of Objects and Reasons**

The Bill seeks to amend section 2 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994) (hereinafter referred to as the “said Act”) so as to define the term “political party”.

The Bill further seeks to amend section 117 of the said Act so as to provide that the elected members of the North Goa Zilla Panchayat and that of South Goa Zilla Panchayat shall be twenty-five each.

The Bill further seeks to amend section 119 of the said Act so as to divide the area within the jurisdiction of North Goa Zilla Panchayat and South Goa Zilla Panchayat into equal number of single member territorial constituencies.

The Bill further seeks to insert new section 133A after section 133 of the said Act so as to enable the political party as defined under clause (16A) of section 2 of the said Act, to sponsor its candidates for election of the members of the Zilla Panchayats and to allow independent candidates to contest as independents.

This Bill also seeks to replace the Goa Panchayat Raj (Amendment) Ordinance, 2015 (Ordinance No. 2 of 2015), promulgated by the Governor of Goa on the 4<sup>th</sup> day of February, 2015.

The Bill seeks to achieve the above objects.

### **Financial Memorandum**

No financial implications are involved in this Bill.

### **Memorandum Regarding Delegated Legislation**

No delegated legislation is envisaged in this Bill.

Porvorim, Goa.  
20<sup>th</sup> March, 2015.

**Dayanand R. Mandrekar**  
Minister for Panchayats

Assembly Hall,  
Porvorim, Goa.  
March, 2015.

**N. B. Subhedar**  
Secretary to the Legislative  
Assembly of Goa.

## ANNEXURE

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**Extract of sections 2(16), 117, 119 and 133 of the  
Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994).**  
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### **Section 2(16)**

2(16) "factory" means besides a factory as defined in the factories Act, 1948 (Central Act 13 of 1948), any premises including the precincts thereof wherein any industrial manufacturing or trade process is carried on with the aid of steam, water, oil, gas, electrical or any other form of power which is mechanically transmitted and is not generated by human or animal agency.

### **Section 117**

117. **Constitution of Zilla Panchayats.**— (1) There shall be two Zilla Panchayats for the State of Goa namely, North Goa Zilla Panchayat and South Goa Zilla Panchayat.

(2) The North Goa Zilla Panchayat shall consist of thirty elected members.

(3) The South Goa Zilla Panchayat shall consist of twenty elected members.

(4) In addition to the elected members, every Zilla Panchayat shall have the following ex officio members:—

(i) members of Parliament who are registered as the electors within the district;

(ii) such number of members of the State Legislative Assembly as may be prescribed:

Provided that no such members shall be a Minister or the Speaker or the Deputy Speaker of the Legislative Assembly or the leader of Opposition:

Provided further that the total number of such members shall not exceed the number of talukas in the Zilla Panchayat, and such members shall be elected from amongst themselves;

(iii) Chairperson of Panchayat in each taluka of the district elected from amongst themselves in the ratio of one such Chairperson for a taluka having upto 15 Panchayats and two such Chairpersons for a taluka having more than 15 Panchayats who shall be a member of Zilla Panchayat so long as he continues to be the Chairperson of the Panchayat.

(5) The term of the members of the Zilla Panchayat other than the elected members shall be co-terminus with the term of member of Parliament or members of the State Legislative Assembly or Chairperson of Panchayat, as the case may be.

#### **Section 119**

**119. Delimitation of territorial constituencies.—** The Government shall, by notification,-

(a) divide the area within the jurisdiction of North Goa Zilla Panchayat and South Goa Zilla Panchayat into 30 and 20 single member territorial constituencies respectively, for the purpose of election, to such Zilla Panchayat.

(b) determine the territorial constituencies or constituencies in which seats are reserved for the Scheduled Castes, Scheduled Tribes, Backward Classes and Women.

#### **Section 133**

**133. Election of Adhyaksha and Upadhyaksha and term of office.—** (1) The elected members of the Zilla Panchayat referred to in clause (i) of section 117 shall as soon as may be, choose two members from amongst them to be respectively Adhyaksha and Upadhyaksha

thereof and so often as there is a casual vacancy in the office of the Adhyaksha or Upadhyaksha, they shall choose another member from amongst them to be Adhyaksha or upadhyaksha within a period of sixty days of occurrence of such vacancy as the case may be.

(2) Save as otherwise provided in this Act, the Adhyaksha or Upadhyaksha shall hold office for the term of office of the members of the Zilla Panchayat.

(3) The election of the Adhyaksha or the Upadhyaksha of a Zilla Panchayat and filling up of vacancies in the said offices and the determination of disputes relating to such election shall be in accordance with such rules as may be prescribed.

(4) There shall be reserved by the Government one office of Adhyaksha and one office of Upadhyaksha of the Zilla Panchayat to be filled by women:

Provided that the office reserved under this sub-section shall be allotted by rotation to different Zilla Panchayat.

Assembly Hall  
Porvorim-Goa.  
March, 2015.

**N. B. Subhedar**  
Secretary to the Legislative  
Assembly of Goa

