

**The Goa Members of Legislative Assembly (Removal of Disqualification)
(Amendment) Bill, 2017**

(Bill No. 11 of 2017)

A

BILL

further to amend the Goa Members of Legislative Assembly (Removal of Disqualification) Act, 2005 (Goa Act No. 13 of 2005).

BE it enacted by the Legislative Assembly of Goa in the Sixty-eighth Year of the Republic of India, as follows:-

1. **Short title and commencement.**- This Act may be called the Goa Members of Legislative Assembly (Removal of Disqualification) (Amendment) Act, 2017.

(2) It shall be deemed to have come into force on the 13th day of March, 2017.

2. **Substitution of Schedule.**- For the Schedule appended to the Goa Members of Legislative Assembly (Removal of Disqualification) Act, 2005 (Goa Act No. 13 of 2005) (hereinafter referred to as the “principal Act”) the following Schedule shall be substituted, namely:-

“SCHEDULE

1. The Office of a member of a Home Guard constituted under any law for the time being in force in any State;
2. Any Office in connection with the affairs of the Goa University or any committee, council or body connected with the Goa University;
3. The Office of a Parliamentary Secretary;
4. The Office of Commissioner for NRI Affairs;
5. The Office of Chairperson and member, Goa State Commission for Women;

6. The Office of Chairman and member, Goa State Commission for Backward Classes;
7. The Office of Chairperson and member, Goa State Commission for Protection of Child Rights;
8. The Office of Chairman and member, Planning and Development Authorities, Goa;
9. The Office of Chairman and Director, Economic Development Corporation Limited, Goa;
10. The Office of Chairman and Director, Kadamba Transport Corporation Limited;
11. The Office of Chairman and Director, Goa Tourism Development Corporation Limited;
12. The Office of Chairman and Director, Goa Handicrafts, Rural and Small Scale Industries Development Corporation Limited;
13. The Office of Chairman and Director, Goa Industrial Development Corporation;
14. The Office of Chairman, Vice-Chairman and Director, Goa State Infrastructure Development Corporation Limited;
15. The Office of Chairman and Director, Goa State Scheduled Castes and Other Backward Classes Finance and Development Corporation Limited;
16. The Office of Chairman and Director, Goa State Horticultural Corporation Limited;
17. The Office of Chairman and Director, Goa Forest Development Corporation Limited;
18. The Office of Chairman and Director, Goa State Scheduled Tribes Finance and Development Corporation Limited;
19. The Office of Chairman, Vice-Chairman and Director, Goa Sewerage and Infrastructure Development Corporation;
20. The Office of Chairman and Director, Infotech Corporation of Goa Limited;
21. The Office of Chairman and member, Goa Tillari Irrigation Development Corporation;
22. The Office of Chairman and Director, Goa Education Development Corporation;

23. The Office of Chairman, Goa State Human Resource Development Corporation;
24. The Office of Chairperson and Director, Goa State Waste Management Corporation;
25. The Office of Chairman and Director, Goa Meat Complex Limited;
26. The Office of Chairman and member, Goa Housing Board;
27. The Office of Chairman and member, Goa Khadi and Village Industries Board;
28. The Office of Chairman and member, Goa State Social Welfare Board;
29. The Office of Chairman, Vice-Chairman and member, Goa Rehabilitation Board;
30. The Office of Chairman and member, Goa Agricultural Marketing Board;
31. The Office of Chairperson, Vice-Chairperson and member, Goa Investment Promotion and Facilitation Board;
32. The Office of Chairman and Vice-Chairman and member, Kala Academy, Goa;
33. The Office of President and member, Goa Konkani Academy;
34. The Office of President and member, Tiatr Academy, Goa;
35. The Office of Chairman and member, Bal Bhavan;
36. The Office of Chairman and member, Ravindra Bhavan, Margao;
37. The Office of Chairman and member, Ravindra Bhavan, Sankhali;
38. The Office of Chairman and member, Ravindra Bhavan, Curchorem;
39. The Office of Chairman and member, Ravindra Bhavan, Vasco;
40. The Office of Chairman and member, Rajiv Kala Mandir, Ponda;
41. The Office of Chairman and member, Institute of Menezes Braganza;
42. The Office of President, Vice-President and member, Sports Authority of Goa;
43. The Office of Chairman, Vice-Chairman and member, Entertainment Society of Goa;

44. The Office of Chairman and member, Sanjay Centre for Special Education;
45. The Office of Chairman and Vice-Chairman, State Urban Development Agency;
46. The Office of Chairman and member, Goa Energy Development Agency;
47. The Office of Chairman, Vice-Chairman and member, Goa Football Council;
48. The Office of Chairman, Vice-Chairman and member, Goa Football Development Council;
49. The Office of Chairman and member, Goa State Co-operative Marketing and Supply Federation Limited;
50. The Office of President, Vice-President and member, Goa Panchayat Mahila Shakti Abhiyan;
51. The Office of Chairman, Director or member of any other Statutory or non-statutory body or committee or corporation constituted by the Government of Goa.

Explanation:- For the purpose of the entry at serial number 51;

- (i) “statutory body” means any corporation, committee, commission, council, board or other body of persons, whether incorporated or not, established by or under any law for the time being in force;
- (ii) “non-statutory body” means any body of persons other than a statutory body.” .

3. Repeal and saving.- (1) The Goa Members of Legislative Assembly (Removal of Disqualification) (Amendment) Ordinance, 2017 (Ordinance No.5 of 2017), is hereby repealed.

(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.

Statement of Objects and Reasons

The Bill seeks to specify certain new offices in the Schedule to the Goa Members of Legislative Assembly (Removal of Disqualification) Act, 2005 (Goa Act 13 of 2005) (hereinafter referred to as “said Act”) so that the persons holding those offices shall not be disqualified for being chosen as, or for being, a member of the Legislative Assembly of the State of Goa.

The Bill further seeks to delete the office of the Chairman and Vice-Chairman of the Goa State Planning Board from the said Schedule.

The Bill also seeks to replace the Goa Members of Legislative Assembly (Removal of Disqualification) (Amendment) Ordinance, 2017 (Ordinance No. 5 of 2017), promulgated by the Governor of Goa on 3rd day of July, 2017.

This 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
24 July, 2017

FRANCISCO D’SOUZA
Minister for Law, Judiciary and
Legislative Affairs

Assembly Hall,
Porvorim – Goa.
24 July, 2017

NILKANT SUBHEDAR
Secretary to the Legislative
Assembly of Goa

ANNEXURE

Schedule appended to the Goa Members of
Legislative Assembly (Removal of
Disqualification) Act, 2005 (Goa Act 13 of 2005)

SCHEDULE

1. The office of a member of a Home Guard constituted under any law for the time being in force in any State;
2. Any office in connection with the affairs of the Goa University or any committee, council or body connected with the Goa University;
3. The office of Chairman, Economic Development Corporation Limited, Goa;
4. The office of Chairman, Kadamba Transport Corporation Limited;
5. The office of Chairman, Goa Housing Board;
6. The office of Chairman, Goa Tourism Development Corporation Limited;
7. The office of Chairman, Goa Handicrafts, Rural and Small Scale Industries Development Corporation Limited;
8. The office of Chairman, Goa Industrial Development Corporation;
9. The office of the Chairman and Vice-Chairman of the Goa State Infrastructure Development Corporation Limited;
10. The office of the Chairman and Vice-Chairman of the Goa State Planning Board;
11. The office of the Chairman of the Goa Khadi and Village Industries Board;
12. The office of the Chairman of the Goa State Scheduled Caste and Other Backward Classes Finance and Development Corporation Limited;
13. The office of the Chairman of the Goa State Horticultural Corporation Limited;
14. The office of the Chairman of the Goa Forest Development Corporation Limited;
15. The office of the Chairman of the Goa State Scheduled Tribes Finance and Development Corporation Limited;
16. The office of a Parliamentary Secretary;

17. The office of the Chairman of Bal Bhavan, Goa;
18. The office of the Chairman of the Goa State Social Welfare Board;
19. The office of the Chairperson of the Goa State Commission for Women;
20. The office of the Chairman of the Goa Meat Complex;
21. The office of the Chairman and Vice Chairman of the Goa Sewerage and Infrastructure Development Corporation;
22. The office of the Chairman of the Goa State Commission for Backward Classes;
23. The office of the Chairman of the Infotech Corporation of Goa Limited;
24. The office of the Chairman and Vice-Chairman of the Kala Academy, Goa;
25. The office of the Chairman of the Rajiv Kala Mandir, Ponda;
26. The office of the Chairman of the Planning and Development Authorities, Goa;
27. The office of the President and Vice-President of the Sports Authority of Goa;
28. The office of Chairman, Vice-Chairman and members of the Entertainment Society of Goa;
29. The office of Chairman of the State Urban Development Agency;
30. The office of Chairman of the Goa Tillari Irrigation Development Corporation;
31. The office of Chairman and Vice-Chairman of the Goa Rehabilitation Board;
32. The office of the Chairman of the Goa State Co-operative Marketing and Supply Federation Limited;
33. The office of the Chairman of the Goa State Agricultural Marketing Board;
34. The office of the Chairman and Vice-Chairman of the Goa Football Council;
35. The office of the Chairman and Vice-Chairman of the Goa Football Development Council;
36. The office of the Chairman of the Goa Education Development Corporation;
37. The office of the Chairman of the Goa Energy Development Agency;
38. The office of the Chairperson of the Goa State Commission for Protection of Child Rights;

39. The office of the Chairman of the Ravindra Bhavan, Margao;
40. The office of the Chairman of the Ravindra Bhavan, Sankhali;
41. The office of the Chairman of the Ravindra Bhavan, Curchorem;
42. The office of the Chairman of the Ravindra Bhavan, Vasco;
43. The office of the President of the Goa Konkani Academy;
44. The office of the President of the Tiatr Academy, Goa;
45. The office of the Chairman of the Institute Menezes Braganza;
46. The office of the President and Vice-President of the Goa Panchayat Mahila Shakti Abhiyan.”.
47. The office of Chairman, Director or member of any other Statutory or non-statutory body or committee or corporation constituted by the Government of Goa.

Explanation: — For the purpose of the entry at serial number 47,-

(i) “statutory body” means any corporation, committee, commission, council, board or other body of persons, whether incorporated or not, established by or under any law for the time being in force;

(ii) “non-statutory body” means any body of persons other than a statutory body.

Assembly Hall
Porvorim-Goa
24 July 2017

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