



LEGISLATIVE ASSEMBLY OF GOA

The Goa Municipalities (Amendment) Bill, 1995

(Bill No. 21 of 1995)

(By Shri Aleixo Sequeira, M.L.A.)

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

GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PANAJI
JULY, 1995

The Goa Municipalities (Amendment)

Bill, 1995

(Bill No. 21 of 1995)

A

BILL

further to amend the Goa Municipalities Act, 1968.

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

1. *Short title and commencement.* — (i) This Act may be called the Goa Municipalities (Amendment) Act, 1995.

(ii) It shall be deemed to have come into force with effect from the 1st day of April, 1995.

2. *Amendment of section 9.* — In section 9 of the Goa Municipalities Act, 1968 (Act No. 7 of 1969):—

(i) in sub-section (1), in clause (ii), the expression “and the Members of the Legislative Assembly of Goa” shall be deleted;

(ii) after sub-section (1), the following new sub-section shall be inserted, namely:—

“(1A) Every member of the State Legislative Assembly representing a Constituency which comprises wholly or partly the municipal area shall be deemed to be a Councillor without a right to vote, so long as he continues to be a Member of the Legislative Assembly”.

Statement of Objects and Reasons

The Goa Municipalities Act, 1968 which governs the constitution of a Municipal Council empowers the Council to co-opt Member of Legislative Assembly of the area as a Councillor. Thus, the co-option of Member of the Legislative Assembly is at the discretion of the Council and a Municipal Council may choose not to co-opt the sitting Member of the Legislative Assembly of the area. A sitting Member of the Legislative Assembly representing a Municipal area should invariably be on the Municipal Council to ensure proper development of the area comprised within the Municipal Council.

This Bill seeks to achieve the purpose

Financial Memorandum

No financial implications are involved in this Bill.

Panaji,
19th July, 1995.

ALEIXO SEQUEIRA
M.L.A.

Assembly Hall,
Panaji,
19th July, 1995.

ASHOK B. ULMAN
Secretary to the Legislative
Assembly of Goa.

(Annexure to Bill No. 21 of 1995)

The Goa Municipalities (Amendment) Bill, 1995

The Goa, Daman and Diu Municipalities Act, 1968
(Act No. 7 of 1969)

Section 9.— (1) Save as otherwise provided by this Act every Council shall consist of Councillors elected at ward elections; and shall also include Councillors co-opted by the elected Councillors in the prescribed manner, from amongst persons who are entitled to vote at the Municipal election and who,—

(i) have special knowledge and experience in municipal administration;

(ii) are members of the House of the People and the members of the Legislative Assembly of Goa representing the constituencies which comprise wholly or partly the municipal area concerned;

(iii) are members of the Council of State and are registered as electors within the municipal area;

Provided that the persons referred to in clause (i) shall not have the right to vote in the meetings of Council:

Provided further that—

(i) in every Council, not less than one third seats shall be reserved for women;

(ii) in every Council, seats shall also be reserved for the Scheduled Castes and the Scheduled Tribes and for women belonging to the Scheduled Castes or as the case may be, the Scheduled Tribes as provided in sub-section (2);

(iii) the total number of co-opted Councillors shall not exceed ten percent of the number of elected Councillors fixed under sub-section (2), and in determining such number, a fraction shall be ignored;

Assembly Hall,
Panaji,
19th July, 1995.

ASHOK B. ULMAN
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