

**THE GOA MUNICIPALITIES (AMENDMENT)
BILL, 2015**

(Bill No. 13 of 2015)

A

BILL

*further to amend the Goa Municipalities Act, 1968
(Act No. 7 of 1969).*

Be it enacted by the Legislative Assembly of Goa 5
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 Municipalities (Amendment) Act, 2015. 10

(2) It shall be deemed to have come into force, on the 9th day of June, 2015.

2. Amendment of section 9.— In section 9 of the Goa Municipalities Act, 1968 (Act No. 7 of 1969) (hereinafter referred to as the “principal Act”), in sub-section (2), in clause (a),- 15

(i) against item (i), for the figures “20”, the figures “25” shall be substituted;

(ii) against item (ii), for the figures “15”, the figures “20” shall be substituted. 20

3. Repeal and saving.— (1) Goa Municipalities (Amendment) Ordinance, 2015 (Ordinance No. 3 of 2015) is hereby repealed.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. 25

Statement of Objects and Reasons

As per Census of 2001 and 2011, there has been increase in population of 'A' Class Municipal Councils and 'B' Class Municipal Councils. However, the wards of these Councils were not increased.

Therefore, the Bill seeks to amend Clause (a) of sub-section (2) of section 9 of the Goa Municipalities Act, 1968 (Act No. 7 of 1969) to have better control and effective development of the wards of 'A' and 'B' Class Municipal Councils so as to increase the number of wards of these Municipal Councils.

The Bill also seeks to replace the Goa Municipalities (Amendment) Ordinance, 2015 (Ordinance No. 3 of 2015), promulgated by the Governor of Goa on the 9th day of June, 2015.

The Bill seeks to achieve the above objects.

Financial Memorandum

There is increase in number of Councillors consequent upon increase in number of wards.

In 'A' Class Municipalities 10 Councillors are increased. In 'B' Class Municipalities 12 Councillors are increased.

At present, the Government is reimbursing 50% of Honorarium paid to the Councillors of the 'B' Class Municipal Councils, as grants to them. "A" Class Municipal Councils are not dependent on such Government grants.

The honorarium paid to each Councillor of "B" Class Municipal Council is Rs. 7500/- per month.

The total expenditure is Rs. 10.80 lakhs annually, out of which 50% will be reimbursed by the Government i.e. Rs. 5.40 lakhs. The financial implications on the Government is Rs. 5.40 lakhs annually.

Memorandum Regarding Delegated Legislation

No delegated legislation is envisaged in this Bill.

Porvorim-Goa,
3rd July, 2015.

Francis D'Souza
Minister for Urban Development

Assembly Hall,
Porvorim-Goa
3rd July, 2015.

Nilkanth Subhedar
Secretary to the Legislative
Assembly of Goa.

**Governor's Recommendation under Article 207
of the Constitution of India**

In pursuance of Article 207 of the Constitution of India, I, Mridula Sinha, the Governor of Goa, hereby recommend the introduction and consideration of the Goa Municipalities (Amendment) Bill, 2015, by the Legislative Assembly of Goa.

ANNEXURE

Extract of Section 9 of the Goa Municipalities Act, 1968

9. Composition of Councils.—(1) Save as otherwise provided by this Act, every Council shall consist of Councillors elected at ward election;

Provided that-

(1) in every Council, no less than (1/3) seats shall be reserved for women;

(2) in every Council, seat shall also be reserved for Scheduled Caste, Scheduled Tribes and Other Backward Class and for woman belonging to Scheduled Caste, as the case may be, the Scheduled Tribes and Other Backward Class as provided in sub-section (2)

(2) The Director shall from time to time by an order published in the Official Gazette fix for each municipal area-

(a) the number of elected Councillors in accordance with the following table:

Class of Municipal area	Number of elected Councillors
(i) 'A' Class	The minimum number of elected Councillors shall be 15, and for every 3,000 of the population or part thereof above 50,000 there shall be one additional elected Councillor, so, however, that the total number of elected Councillors shall not exceed 20;
(ii) 'B' Class	The minimum number of elected Councillors shall be 10 and for every 3,000 of the population or part thereof above 10,000 there shall be one additional elected

Class of Municipal area	Number of elected Councillors
	Councillor, so, however, that the total number of elected Councillors shall not exceed 15;
(iii) 'C' Class	The number of elected Councillors shall be 10.

(b) the number of seats, if any, to be reserved for the Scheduled Castes, Scheduled Tribes or the Other Backward Class so that such number shall bear, as nearly as may be, the same proportion to the number of elected Councillors as the population of the Scheduled Castes, Scheduled Tribes or of the Other Backward Class in the municipal area bears to the total population of that area and not less than one-third of such seats shall be reserved for women and such seats shall be allotted by rotation to different constituencies in a municipal area.

(c) the number of seats for the office of Chairperson in the Council for Scheduled Castes, the Scheduled Tribes or the Other Backward Class] and women so that such number will bear as nearly as may be, the same proportion to the number of elected Councillors as the population of the scheduled Castes, Scheduled Tribes or of the Other Backward Class in the municipal area bears to the total populations of that area and such seats shall be allotted by rotation to different constituencies in a council.

(3) The reservation of seats for Scheduled Castes and Scheduled Tribes made by an order under subsection (2) shall cease to have effect when the reservation of seats for those Castes and Tribes in the House of the People ceases to have effect under the Constitution of India:

— 7 —

Provided that nothing in this sub-section shall render any person elected to any such reserved seat ineligible to continue as a Councillor during the term of office for which he was duly elected by reason only of the fact that the reservation of seats has so ceased to have effect.

Assembly Hall,
Provorum-Goa
3rd July, 2015.

Nilkanth Subhedar
Secretary to the Legislative
Assembly of Goa.



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Municipalities
(Amendment) Bill, 2015**

(Bill No. 13 of 2015)

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

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

