



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Panchayat Raj  
(Eighth Amendment) Bill, 2003**

(Bill No. 25 of 2003)

*As*  
~~The~~ introduced in the Legislative Assembly of the State of Goa

GOA LEGISLATURE SECRETARIAT  
ASSEMBLY HALL, PORVORIM, GOA  
23rd SEPTEMBER, 2003

THE GOA PANCHAYAT RAJ  
(EIGHTH AMENDMENT) BILL, 2003

(BILL No. 25 of 2003)

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BILL

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

BE it enacted by the Legislative Assembly of Goa in the Fifty fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Panchayat Raj (Eighth Amendment) Act, 2003.

(2) It shall be deemed to have come into force on the 1st day of April, 2003.

2. *Amendment of section 48.*— In section 48 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994) (hereinafter referred to as the "principal Act),

(i) in the title, for the words "and directly elected", the figure and words, "elected and co-opted" shall be substituted;

(ii) for sub-section (2), the following sub-section shall be substituted, namely:

"(2) Salary and other conditions of service of the Sarpanch, Deputy Sarpanch,

elected and co-opted members of the Panchayat shall be as prescribed.”.

3. *Amendment of section 162.*— In section 162 of the principal Act, in sub-section (2), for clause (i), the following shall be substituted, namely:—

“(i) payment of salaries and allowances to the Sarpanch, Deputy Sarpanch, elected and co-opted members of the Panchayat, or members of any committee thereof and the staff of the Panchayat, subject to such rules as may be prescribed.”.

## Statement of Objects and Reasons

The existing provisions contained in the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994) do not entitle the co-opted members of Village Panchayats for salaries and allowances.

The present Bill seeks to provide for payment of salaries and allowances to the co-opted members of Village Panchayats on par with the elected members, by suitably amending sub-section (2) of section 48 of the Act, 1994.

Amendment to section 162 of the Act, 1994, is a consequential amendment.

This Bill seeks to achieve the above objects.

## Financial Memorandum

The exact amount of additional funds required for payment of salaries and allowances to 52 co-opted members at the rate of Rs. 1,500/- per month works out to Rs. 78,000/- per month or Rs. 9,36,000/- per annum. The budget provision has been made in the budget estimates of the Directorate of Panchayats for the year 2003-04 for payment of grants to the Village Panchayats for the above purpose.

## Memorandum regarding delegated legislation

Proposed new sub-section (2) of section 48 of the Act empowers the Government to frame rules to prescribe the salary and other conditions of service of the Sarpanch, Deputy

Sarpanch, elected and co-opted members of the Panchayat.

Proposed new clause (i) of sub-section (2) of section 162 of the Act empowers the Government to frame rules subject to which the Panchayat Fund shall be utilized for the purposes specified in the said new clause (i).

These delegations are of normal character.

**Governor's recommendation under Article  
207 of the Constitution**

In pursuance of Article 207 of the Constitution of India, I, Shri Kidar Nath Sahani, the Governor of Goa, hereby recommend to the Legislative Assembly of Goa, the introduction and consideration of the Goa Panchayat Raj (Eighth Amendment) Bill, 2003.

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Panaji-Goa  
23rd September,  
2003

MANOHAR AZGAONKAR  
Minister for  
Panchayati Raj

Assembly Hall,  
Porvorim, Goa  
23rd September,  
2003

S. A. NARVEKAR  
Secretary to the  
Legislative Assembly  
of Goa

ANNEXURE

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An Extract of the Goa Panchayat Raj Act, 1994  
(Goa Act 14 of 1994)

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48. *Term of office and conditions of service of Sarpanch, Deputy Sarpanch and directly elected members of the Panchayat* - (1) The term of office of every Sarpanch and Deputy Sarpanch of the Panchayat shall, save as otherwise provided in this Act, cease on the expiry of his term of office as a member of the Panchayat.

(2) Salary and other conditions of service of Sarpanch, Deputy Sarpanch and directly elected members of the Panchayat shall be as prescribed.

162. *Application of Panchayat Fund and property.*

(1) Subject to the provisions of this Act and rules made thereunder and such general or special orders of the Government, all property owned by or vested in the Panchayat under this Act and all funds received by it and sums accruing to it under the provisions of this Act or any other law for the time being in force, shall be applied for the purposes for which by or under this Act, or any other law for the time being in force, powers are conferred or duties are imposed upon the Panchayat :

Provided that no expenditure shall be incurred out of the Panchayat fund unless provision therefore has been made in the budget by the Panchayat or funds are obtained by re-appropriation duly approved except in such cases as may be prescribed.

(2) The Panchayat Fund shall also be utilised for the following purposes:-

(i) payment of salaries and allowances to the Sarpanch, Deputy Sarpanch elected members of the Panchayat or any Committee thereof and the staff of the Panchayat subject to such rules as may be prescribed :

(ii) any amount falling due on any loan raised by the Panchayat;

(iii) with the previous sanction of the Chief Executive Officer, for any other purpose for which the application of such property or fund is necessary in public interest.

Provided that any amount granted to the Panchayat by the Government or any person or local authority for any specific work or purpose shall be applied exclusively for such work or purpose and in accordance with such instructions as the Government may specify either generally or specially in this behalf.