



Legislative Assembly of the State of Goa

**The Goa Panchayat Raj
(Amendment) Bill, 2008**

(Bill No. 31 of 2008)

(By shri. Manohar Parrikar)
Leader of Opposition.

As
~~To be~~ introduced in the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY COMPLEX, PORVORIM, GOA
AUGUST, 2008**

**THE GOA PANCHAYAT RAJ (AMENDMENT)
BILL, 2008**

(Bill No. 31 of 2008)

A

Bill

*to further amend the Goa Panchayat Raj Act,
1994*

5 BE it enacted by the Legislative Assembly of
Goa in the Fifty-ninth Year of the Republic of India
as follows:

10 1. *Short Title and Commencement.*— (1) This
Act may be called the Goa Panchayat Raj
(Amendment) Act, 2008.

15 2. *Amendment of Section 46.*— In section 46 of
the Goa Panchayat Raj Act, 1994, after sub-section
(1), the following proviso shall be inserted,
namely:

20 “Provided that, in the case of a women
candidate for election to the offices of Sarpanch
and Deputy Sarpanch reserved for women
candidates, the nominations shall be by self
and there shall be no requirement for proposer
or seconder.”

3. *Amendment of Section 51.*— In section 51 of
the Goa Panchayat Raj Act, 1994, after the second

proviso to sub-section (1), the following proviso shall be inserted, namely:

"Provided also that no notice of motion of no confidence shall be moved against a women Sarpanch or women Deputy Sarpanch occupying such office reserved for her, before she had completed a period of one year in office."

STATEMENT OF OBJECTS AND REASONS

Reservation of women in local bodies, despite Constitutional and statutory provisions, remains unachieved for various reasons. At practical level, women candidates are unable to find proposers and seconders for their nomination as Sarpanch or Deputy Sarpanch. If this provision requiring proposer and seconder is liberalized, there will be at least women competing for the said offices. This would be the first step towards facilitating women empowerment as envisaged by the reservation provisions. Besides this, women, after election to these offices, need a minimum period in office to assume stability. The constant fear of being removed from office affects their functioning and only a concession towards them in political terms like an assured tenure for one year, may bring about the desired stability in their functioning thereby translating the noble vision of women empowerment becoming a reality in grass root level bodies.

3. This Bill seeks to amend the Goa Panchayat Raj Act, 1994 to achieve these objectives.

Sd/-

PORVORIM, GOA
6 AUGUST, 2008.

MANOHAR PARRIKAR
LEADER OF OPPOSITION

ANNEXURE

The Goa Panchayat Raj Act, 1964

Sec. 46. Procedure for Election of Sarpanch and Deputy Sarpanch.— (1) At the first meeting of the Panchayat to be called on a day fixed by the Government the members of the Panchayat shall elect, from amongst themselves a Sarpanch and a Deputy Sarpanch.

(2) Such officer as may be specified in this behalf by the Government shall preside at such meeting but shall not have the right to vote.

(3) No business other than the election of the Sarpanch and Deputy Sarpanch shall be transacted at such meeting.

(4) In case of equality of votes, the result of the election shall be decided by lots drawn in the presence of the Officer aforesaid in such manner as he may determine.

(5) In the event of a dispute arising as to the validity of the election of the Sarpanch or the Deputy Sarpanch, the dispute shall be referred to such authority as may be specified by notification by the Government and the decision of such authority thereon shall be final.

14["(6) the procedure for the election of Sarpanch and Deputy Sarpanch shall be such as may be prescribed"]

Sec. 51. Motion of no confidence against Sarpanch and Deputy Sarpanch.—

18["(1):"] Every Sarpanch or Deputy Sarpanch shall forthwith be deemed to have vacated his office if a resolution expressing want of confidence in him is passed by a majority of a total members of the

Panchayat at a meeting specially convened for the purpose:

Provided that no such 19["notice of motion of no-confidence"] shall be taken into consideration unless it is signed by the majority of the members.

20["Provided further that no notice of motion of no confidence shall be moved within six months after the meeting of Panchayat defeating the motion of no confidence."]

21["(2) The notice of no confidence motion shall be delivered to the Block Development Officer who shall convene a special meeting of the Panchayat to consider the no confidence motion within fifteen days from the receipt of the notice thereof.

(3) A copy notice of no confidence motion shall also be delivered to the Secretary of the Panchayat.

(4) The procedure to be followed for such special meeting shall be such as may be prescribed."]