



Bulletin Part - I

No. 23

LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

WEDNESDAY, 05 OCTOBER 2011

11.30. A M

1. NATIONAL ANTHEM

National Anthem was played.

11 30 AM – 11 50 AM

2. QUESTIONS

(a) POSTPONED STARRED QUESTIONS WERE ORALLY ANSWERED

- (1) Postponed Starred Question No.17C tabled by Shri Pratap Gawas, MLA regarding 'Chapter Cases filed by the Margao Police', (originally slated for answer on 17.03.2011) was orally answered.
- (2) Postponed Starred Question No.19B tabled by Shri Vijay Pai Khot, MLA regarding 'Criminal Cases reported and Charge sheeted' in the State of Goa, (originally slated for answer on 17.03.2011) was orally answered.
- (3) Postponed Starred Question No.20A tabled by Shri Anant Shet, MLA regarding 'Individual/Establishment enjoying the right of Evacuee Property', (originally slated for answer on 17.03.2011) was further postponed to 7/10/2011.

(d) UNSTARRED QUESTIONS**(a) Replies Postponed:-**

Replies to Unstarred Question No. 38, 214 were postponed to next session.

(b) Replies Laid:-

Replies to Unstarred Questions (Corrected) in the list for the day were laid on the table.

12 30 P M

ANNOUNCEMENT BY SPEAKER

SHRI PRATAPSINGH R. RANE, Hon. Speaker made an announcement in the House that Hon. Member Shri Rajesh Patnekar, has resigned from his seat in the House from 12th September, 2011, forenoon, and Shri Dayanand Sopte has also resigned from his seat in the House from 30th September, 2011, forenoon. Both these Members ceases to be the Members of this August House.

12 31 P M

ZERO HOUR MENTION

SHRI DILIP PARULEKAR, MLA made a mention about the " fear and anxiety in the minds of fishermen community in the State within Goa being reported encroachment of trawlers of neighboring States within the limits of Goa coast line water resulting in disputes and fights among the fishermen in the oceanic water."

SHRI DIGAMBAR KAMAT, Chief Minister replied to the mention.

12 36 P M

3. **OBITUARY REFERENCE**

SPEAKER made obituary reference to the passing away of Shri Pandurang Bhatale, Ex-MLA from Bicholim Constituency who was a member of the Second Legislative Assembly of the State of Goa in the year 1994.

The House stood in silence for 2 minutes.

12 39 P M

4. **PAPERS LAID**

1. **SHRI DIGAMBAR KAMAT, Chief Minister** laid the following :

(a) 30th Annual Report of Goa Handicrafts Rural and Small Scale Industries Development Corporation Limited for the year 2009 – 2010.

I. The following Notifications published under Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005).

- (a) Notification No. 4/5/2005-Fin (R & C) (87) dated 19/04/2011 published in the Official Gazette, Series I No. 2 (Extraordinary No. 2) dated 19/04/2011.
- (b) Notification No.4/5/2005-Fin (R & C) (88) dated 30/06/2011 published in the Official Gazette, Series I No. 13 (Extraordinary) dated 01/07/2011.

II. The following Notifications published under Goa Tax on Entry of Goods Act, 2000.

- (a) Notification No.5/7/2008-Fin (R & C) dated 13/04/2011 published in the Official Gazette, Series II No. 1 (Extraordinary) dated 03/09/2011.
- (b) Notification No. 5/7/2008-Fin (R & C) dated 25/08/2011 published in the Official Gazette, Series II No. 22 dated 03/09/2011.

III. The following Notifications published under Goa Excise Duty Act, 1964 (Act 5 of 1964).

- (a) Notification No.1/3/201-Fin (R & C) dated 24/03/2011 published in the Official Gazette, Series I No. 52 (Extraordinary) dated 24/03/2011.
- (b) Notification No. 1/3/2008-Fin (R & C) dated 29/03/2011 published in the Official Gazette, Series I No. 52 dated 30/03/2011.

2. **SHRI NILKANTH R. HALARNKAR, Minister for Tourism, Housing & Ports** laid the Audit Report on Goa Housing Board for the year 2007 – 2008.

3. **SHRI FILIPE NERY RODRIGUES, Minister for Water Resources, Forest & Legal Metrology** laid the following:

- (a) The Goa Legal Metrology Rules, 2011.
- (b) Thirteenth Annual Accounts of the Goa Forest Development Corporation Ltd. for the year 2009 – 2010.
- (c) Separate Audit Report and Audit of the Annual Accounts of Goa Tillari Irrigation Development Corporation for the year 2007 – 2008.

4. **SHRI RAMKRISHNA M. DHAVALIKAR, Minister for Transport** laid the Audit Report and Accounts for the year (2009 – 2010) ended 31st March, 2010 from 1st April, 2009 of Goa State Commission for Backward Classes.

5. **SHRI MANOHAR AZGAONKAR, Minister for Panchayati Raj** laid the Goa Scheme for immediate Relief (Third Amendment) Rules, 2011.

12 39 P M

5. **CALLING ATTENTIONS**

(1) **SHRI PANDURANG DHAVALIKAR**, MLA called the attention of the Minister for Revenue to the following:

“Fear and anxiety caused in the minds of people because of the destruction caused due to passing of underground Gas Pipeline from Amona ,Khandola,Betki-Orgao and Bhoma and the surrounding areas of Priol Constituency.”

SHRI JOSE PHILIP D’SOUZA, Minister for Revenue made a statement in regard thereto:

The following members sought clarifications:

1. Shri Pandurang Dhavlikar.....12 47 P M
2. Shri Pratap Gawas.....12 50 P M
3. Shri Mauvin Godhino, Dy. Speaker.....12 51 P M
4. Shri Manohar Parrikar, Leader of opposition.....12 53 P M

(The House adjourned for lunch at 1 00 P M and resumed its sitting at 2 30 P M)

2 32 P M

ANNOUNCEMENT BY SPEAKER

SHRI PRATAPSINGH R. RANE, Hon. Speaker made an announcement in the House about the intimation of conviction received from Superintendent of Police, South Goa, District Margao on the judgment pronounced by the Asst. Session Judge-2, South Goa at Margao in Criminal Appeal No. 36/2011, wherein conviction against Hon’ble MLA Shri Francisco Xavier Pacheco alias Mickey Pacheco is upheld. On

conviction Shri Francisco Xavier Pacheco alias Mickey Pacheco has been remanded to Sub-Jail, Sada, Vasco i.e. on 5/10/2011.

(2) **SHRI MAUVIN GODINHO**, Hon.Dy.Speaker called the attention of the Minister for Revenue to the following:

“Grave anxiety in the minds of the people of Goa and particularly the people of Vasco-da-Gama in regard to the dangerous Naptha pipeline from Vasco to Zuarinagar. It is the opinion of the people that the safety aspect are being compromised by the neglect of the Company i.e. ZIL, National Highway and the other agencies involved as well as the monitoring agencies like Goa Pollution Control Board. Steps taken by the Government to allay the fears of the people.”

SHRI DIGAMBAR KAMAT, Chief Minister made a statement in regard thereto:

The following Members sought clarification:

1. Shri Mauvin Godinho, Dy. Speaker.....2 40 P M
2. Shri Manohar Parrikar, Leader of Opposition....2 47 P M
3. Shri Milind Naik.....2 54 P M

3 03 P M

6. ASSENT TO BILLS

SECRETARY reported assent of the Governor to the following Bills:

- (1) The Goa Appropriation (No.3) Bill, 2011
- (2) The Goa Registration of Tourist Trade (Amendment) Bill, 2011.

3 03 P M

7. **REPORT OF BUSINESS ADVISORY COMMITTEE**

SHRI DIGAMBAR KAMAT, Chief Minister presented the Third Report, 2011 of the Business Advisory Committee; and

SHRI DIGAMBAR KAMAT, Chief Minister moved the following:

"This House do agree with the Third Report (2011) of the Business Advisory Committee".

The following members spoke:

1. Shri Manohar Parrikar, Leader of Opposition.....3 04 P M

2. Shri Digambar Kamat, Chief Minister.....3 12 P M

The motion was put to vote and adopted.

8. **REPORT OF THE PUBLIC ACCOUNTS COMMITTEE FOR THE YEAR 2004-2005 .**

SHRI MANOHAR PARRIKAR, Chairman presented the Sixty Seventh Report of the Public Accounts Committee for the year 2004 – 2005.

3 13 P M

9. **PRESENTATION OF SUPPLEMENTARY DEMANDS FOR GRANTS FOR THE YEAR 2011-2012(FIRST BATCH)**

SHRI DIGAMBAR KAMAT, Chief Minister presented the following:

(a) Statement showing the Supplementary Demands for Grants for the year 2011-2012 (First Batch)

(b) Detailed Supplementary Demands for Grants for the year 2011-2012(First Batch).

3 13 P M

10. DISCUSSION AND VOTING ON SUPPLEMENTARY DEMANDS FOR GRANTS FOR THE YEAR 2011-2012(First Batch)

Discussion and voting on Supplementary Demands for Grants for the year 2011-2012 was taken up. The Supplementary Demands for Grants for the year 2011-2012 (First Batch) were put vote and passed.

3 15 P M

11. INTRODUCTION, CONSIDERATION AND PASSING OF THE CONNECTED GOA APPROPRIATION (NO. 4) BILL, (RELATING TO SUPPLEMENTARY DEMANDS FOR GRANTS, 2011-2012(FIRST BATCH)

(1) **SHRI DIGAMBAR KAMAT**, Chief Minister moved for leave to introduce the Goa Appropriation (No.4) Bill, 2011. The leave was granted and the Bill was introduced.

(2) **SHRI DIGAMBAR KAMAT**, Chief Minister moved that the Goa Appropriation (No.4) Bill, 2011 be taken into consideration.

SHRI DAMODAR NAIK, spoke on the Bill.

The motion for consideration of the Bill was put to vote and adopted.

Clauses 2, 3, the Schedule, Clause 1, the enacting formula and the long title were put to vote and adopted.

SHRI DIGAMBAR KAMAT, Chief Minister moved that the Goa Appropriation (No. 4) Bill be passed.

The following member spoke:

1. Shri Francis D'Souza.....3 32 P M

2. Shri Anant Shet.....3 39 P M

3. Shri Vijay Pai Khot.....3 52 P M

4. Shri Manohar Parrikar, Leader of Opposition.....3 52 P M

(The House adjourned for tea at 4 25 P M and resumed its sitting at 5 00 P M)

SHRI DIGAMBAR KAMAT, Chief Minister replied to the debate.

The motion for passing of the Bill was put to vote and adopted.

5 29 P M

SUSPENSION OF RULE

SHRI DIGAMBAR KAMAT, Chief Minister moved the motion for suspension of Rule under Rule 306, of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly, that Rule 147 and relevant rules in the application of re-consideration and passing of the Goa Lokayukta Bill, 2003 as amended.

The motion was put to vote and adopted.

12. RE-CONSIDERATION AND PASSING OF THE GOA LOKAYUKTA BILL,2003 (BILL NO.23 OF 2003)

SHRI DIGAMBAR KAMAT, Chief Minister moved leave for re-consideration of Goa Lokayukta Bill, 2003 (Bill No.23 of 2003)

SHRI AGNELO FERNANDES, moved the Amendments to The Goa Lokayukta Bill, 2003 (Bill No.23 Of 2003)

1. in the long title,

(a) for figures "2003", the figure "2011" shall be substituted;

(b) for words " Fifty- Eighth", the words "Sixty-Second" shall be substituted;

2. in clause(1),----

(a) in sub-clause (1), the figure "2003", the figures "2011" shall be substituted;

(b) for sub-clause (3), the following shall be substituted, namely:-

"It shall come into force on such date as the Government may by notification in the Official Gazette, appoint".

3. in clause (2),----

(i) in sub-clause (i), the expression " or (q) (xii)" shall be omitted:

(ii) in sub-clause (q), in the Explanation, for the expression

"Maharashtra Co-operative Societies Act, 1960 as in force in the State of Goa", the expression "Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001)" shall be substituted.

4. in clause 18,-

(a) in sub-clause (1), the following expression shall be omitted, namely:

"and notwithstanding anything contained in the Indian Evidence Act, 1872 (Central Act 1 of 1872), no court shall be entitled to compel the Lokayukta or the Upa-Lokayukta or any such member, officer, person or agency or any public functionary to give evidence relating to such information or to produce the evidence so recorded or collected".

(b) in sub-clause (2), item (c) shall be re-numbered as item (d) and before item (d) as so re-numbered the following item shall be inserted, namely;

"(c) for the purpose of supplying information under the Right to Information Act, 2005 (Central Act 22 of 2005)".

5. Clause 19 shall be omitted and clauses 20 to 36 shall re-numbered as clauses 19 to 35.

The following Members Spoke:

1. Shri Dayanand Narvekar.....5 34 P M
2. Shri Mauvin Godinho, Dy. Speaker.....5 39 P M
3. Shri Damodar Naik.....5 45 P M
4. Shri Francis D'Souza.....5 49 P M
5. Smt. Victoria Fernandes.....5 53 P M
6. Shri Dayanand Mandrekar.....5 55 P M
7. Shri Vijay Pai Khot.....5 58 P M
8. Shri Mahadev Naik.....6 04 P M

Amendments moved by Shri Agnelo Fernandes were put to vote of the House and passed.

Clauses 2 to 17, Clause 18, Clause 19, Clauses 19 to 35, Clause 1, the enacting formula, the long title were put to vote and adopted.

SHRI DIGAMBAR KAMAT, Chief Minister moved that the Goa Lokayukta Bill, 2011 (Bill No.23 of 2003) as amended be passed.

The motion for the Goa Lokayukta Bill, 2011 as amended was put to vote and passed.

6 11 P M

ANNOUNCEMENT OF NOMINATION OF SELECT COMMITTEE MEMBERS

SHRI DIGAMBAR KAMAT, Chief Minister announced the nomination of the following Members of Select Committee on the Goa Public Services Guarantee Bill, 2011:

1. Shri Digambar Kamat, Chief Minister.....Chairman
2. Shri Aleixo Sequeira, Minister for Power.....Member
3. Shri Manohar Parrikar, Leader of Opposition.....Member
4. Smt. Victoria Fernandes.....Member
5. Shri Francis D'Souza.....Member
6. Shri Pandurang Dhavlikar.....Member
7. Shri Aleixo Reginaldo Lourenco.....Member

(HOUSE ADJOURNED AT 6 12 PM TO MEET AT 11 30 AM ON FRIDAY, THE 7TH OCTOBER, 2011)

**ASSEMBLY HALL
PORVORIM-GOA
5TH OCTOBER, 2011**

**N. B. SUBHEDAR
SECRETARY**