



LEGISLATIVE ASSEMBLY
OF
GOA, DAMAN AND DIU

The Goa, Daman and Diu
Village Panchayats Regulation
(Amendment) Bill, 1974

(Bill No. 16 of 1974)

(To be introduced in the Legislative Assembly
of Goa, Daman and Diu)

GOA, DAMAN AND DIU LEGISLATURE DEPARTMENT
ASSEMBLY HALL, PANAJI
SEPTEMBER, 1974

**The Goa, Daman and Diu Village Panchayats Regulation
(Amendment) Bill, 1974**

(Bill No. 16 of 1974)

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BILL

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*further to amend the Goa, Daman and Diu Village
Panchayats Regulation, 1962.*

BE it enacted by the Legislative Assembly of Goa,
Daman and Diu in the Twenty-fifth Year of the
Republic of India as follows:—

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1. Short title and commencement.— (1) This Act
may be called the Goa, Daman and Diu Village Pan-
chayats Regulation (Amendment) Act, 1974.

(2) It shall come into force at once.

2. Insertion of new section 21A.—
After section 21 of the Goa, Daman and
Diu Village Panchayats Regulation, 1962
(hereinafter referred to as the "Regula-
tion"), the following section shall be
inserted, namely:—

Regulation
9 of 1962

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"21A. Allowances to members.— The mem-
bers of a Panchayat (including its chairman and
vice-chairman) may be paid travelling and daily
allowances at such rates as may be prescribed
for journeys performed by them in relation to
any business of the Panchayat."

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3. Insertion of new section 23A.— After section 23
of the Regulation, the following section shall be
inserted, namely:—

**"23A. Power of Collector or other authorised
officer to exercise powers of chairman.**— Where
the offices of both the chairman and vice-chair-
man are vacant, the Collector, or such other
officer as the Collector may authorise in this
behalf, shall, pending the election of the chair-
man, exercise all the powers and perform all

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the functions and duties of the chairman under this Regulation, but shall not have the right to vote in any meeting of the Panchayat.”.

5 4. **Insertion of new section 31C.** — After section 31B of the Regulation, the following section shall be inserted, namely: —

10 “31C. **Grants-in-aid.** — A Panchayat may, by a resolution passed at its meeting and supported by a majority of two-thirds of the total number of its members, give grants-in-aid to any private institution in respect of any of the matters specified in entries (1), (3) and (4) of Item V of the Second Schedule, or in Item VI of the said Schedule:

15 Provided that no such grant shall be given by the Panchayat out of any contribution made to it by the Government.”.

20 5. **Amendment of section 39.** — In section 39 of the Regulation, in sub-section (1), after clause (g), the following clauses shall be inserted, namely: —

“(g-1) a tax on dogs;

(g-2) a tax on advertisements other than advertisements published in the newspapers;”.

25 6. **Amendment of section 65.** — In section 65 of the Regulation, in sub-section (2), in clause (p), after the words “fees for licences”, the words “and permissions” shall be inserted.

30 7. **Amendment of Second Schedule.** — In the Second Schedule to the Regulation, after the main heading, for the brackets, words and figures “(See section 31)”, the brackets, words, figures and letter “(See sections 31 and 31C)” shall be substituted.

Statement of Objects and Reasons

The present Bill seeks to amend the existing provisions of the Goa, Daman and Diu Village Panchayats Regulation, 1962. Under the existing provisions of the said Regulation there is no provision for payment of allowances to members of the Panchayat. Further, the Regulation is silent as to who shall preside over the meetings when the offices of both the chairman and vice-chairman are vacant simultaneously. The instant amendment makes a provision for payment of allowances to members and also provides that the Collector or such other officer as the Collector may authorise shall preside over the meeting in the event of both the offices of chairman and vice-chairman becoming vacant simultaneously.

2. The Bill also seeks to empower the Village Panchayats to give grants for the promotion of social, educational and cultural activities.

3. Further, the amendment seeks to empower the Village Panchayats to levy certain taxes and fees in order to augment their resources.

Financial Memorandum

The proposed Amendment involves no financial implications to the Government.

Memorandum regarding Delegated Legislation

Clause 2 of the Bill empowers the Govt. to frame rules prescribing the rates at which travelling and daily allowances may be paid to the members, including Chairman and vice-Chairman, of a Village Panchayat.

Again, clause 6 of the Bill empowers the Government to frame rules prescribing the rates of fees that may be charged by a panchayat for granting permissions under the Act.

This delegation is only for enabling the Government to provide for procedural details and is of normal character.

Panaji,
13th September, 1974.

A. K. S. USGAONKAR
Minister for Development.

Assembly Hall,
Panaji,
24th September, 1974.

M. M. NAIK
Secretary to the Legislative
Assembly of Goa, Daman and Diu.

Administrator's recommendation under section 23 of the Government of Union Territories Act, 1963.

In pursuance of section 23 of the Government of Union Territories Act, 1963, the Administrator of the Union territory of Goa, Daman and Diu, has recommended to the Legislative Assembly of Goa, Daman and Diu the introduction and consideration of the Goa, Daman and Diu Village Panchayats Regulation (Amendment) Bill, 1974.

Annexure to Bill No. 16 of 1974

The Goa, Daman and Diu Village Panchayats Regulation (Amendment)
Bill, 1974

The Goa, Daman and Diu Village Panchayats Regulation, 1962
{No. 9 of 1962}

39. Taxes which may be imposed. — (1) Subject to the rules made under this Regulation, a Panchayat may levy—

- (a) a tax on the owners or occupiers of buildings;
- (b) a tax on vehicles other than mechanically propelled vehicles kept within the jurisdiction of the Panchayat;
- (c) a lighting tax;
- (d) a drainage tax;
- (e) a pilgrim tax;
- (f) a tax on professions, trades, callings and employments;
- (g) an entertainment tax;
- (h) octroi;
- (i) fees for sale of goods in markets, melas, fairs and festivals;
- (j) fee for grazing of cattle in grazing lands under the management of the Panchayat;
- (k) fees on cart-stands, tonga-stands and other public parking places;
- (l) fee for providing the watch and ward of crops in the village; and
- (m) licence fee for plying of public ferry.

(2) The taxes and fees referred to in sub-section (1) shall be imposed assessed and realised in such manner and at such times as may be prescribed.

65. Power to make rules. — The Lieutenant Governor may, by notification, make rules to carry out the purposes of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a)
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(p) the fees for licences granted under this Regulation;

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(3) All rules made under this Regulation shall be laid on the Table of the Legislative Assembly after they are made and shall be subject to such modifications as the Assembly may make during the Session in which they are so laid or the session immediately following.

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THE SECOND SCHEDULE

Matters within the jurisdiction of Panchayats

(See section 31)

I — Sanitation and Public Health

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II — Public works

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III — Planning and Development

- (a)
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IV — Administration

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V — Social Welfare

1. Relief to the crippled and the destitute.
2. Construction of low rent houses to families with yearly income below one thousand rupees.
3. Preventive and relief measures in times of public calamity.
4. Promotion of moral and social welfare activities and encouraging and assisting voluntary organizations and other agencies engaged in such activities.

VI — Education and Culture

1. Promotion of primary education and assistance in improvement of primary schools.
2. Establishment and maintenance of parks, clubs, akhadas and other places of recreation for the villages, including women and children.
3. Establishment and maintenance of libraries and reading rooms.

Assembly Hall,
Panaji,
24th September, 1974.

M. M. NAIK
Secretary to the Legislative
Assembly of Goa, Daman and Diu