



LEGISLATIVE ASSEMBLY
OF
GOA, DAMAN AND DIU

**The Goa, Daman and Diu
Village Panchayats Regulation
(Amendment) Bill, 1977**

(Bill No. 7 of 1977)

(By Shri R. S. Fernandes, M. L. A.)

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

**GOA, DAMAN AND DIU LEGISLATURE DEPARTMENT
ASSEMBLY HALL, PANAJI**

APRIL, 1977

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The Goa, Daman and Diu Village Panchayats Regulation
(Amendment) Bill, 1977

(Bill No. 7 of 1977)

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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-eighth 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 Panchayats Regulation (Amendment) Act, 1977.

(2) It shall come into force at once.

2. *Amendment of section 24.* — In sub-section (2) of section 24 of the Goa, Daman and Diu Village Panchayats Regulation, 1962, the words "of not less than two-thirds" shall be deleted.

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Regulation
9 of 1962.

Statement of Objects and Reasons

The Bill proposes to bring section 24 of the Goa, Daman and Diu Village Panchayats Regulation, 1962 on par with section 56 of the Goa, Daman and Diu Municipalities Act, 1969.

According to section 24 of the Village Panchayats Regulation, a motion of no-confidence against the Chairman or the Vice-Chairman to be carried requires a majority of not less than two-thirds of the members of the Panchayat whereas as per section 56 of the Municipalities Act, President or Vice-President of the Municipality can be removed by a resolution passed by a simple majority of the total number of Councillors.

It is found by past experience that the two third majority prescribed by the Regulation is comparatively high and with the result section 24 became inoperative since it could not be invoked against the Chairman and Vice-Chairman even when majority of members found the Chairman or Vice-Chairman to be negligent in discharging their duties. Section 25 of the Regulation was also found to be ineffective since it is difficult for an Officer specified therein to assess the work of the Chairman and Vice-Chairman of every Panchayat and in any case he cannot make a better assessment than the members of the concerned Village Panchayat.

It is therefore felt necessary to amend the Village Panchayat Regulation to make section 24 effective and operative whereby majority of members of Panchayat is empowered to remove, Chairman or Vice-Chairman in appropriate cases.

Financial Memorandum

The Bill does not envisages any financial commitment.

Panaji,
31st March, 1977.

R. S. FERNANDES
M. L. A.

Assembly Hall,
Panaji,
2nd April, 1977.

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

(Annexure to Bill No. 7 of 1977)

The Goa, Daman and Diu Village Panchayats Regulation
(Amendment) Bill, 1977

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The Goa, Daman and Diu Village Panchayats Regulation, 1962
(Regulation No. 9 of 1962)
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24. *Motion of no-confidence.* — (1) A motion of no-confidence may be moved by any member of a Panchayat against the chairman or the vice-chairman after giving such notice thereof as may be prescribed.

(2) If the motion is carried by a majority of not less than two-thirds of the total number of members of the Panchayat, the chairman or the vice-chairman, as the case may be, shall cease to hold office after a period of three days from the date on which the motion is carried unless he has resigned earlier.

(3) Notwithstanding anything contained in this Regulation, the chairman or the vice-chairman shall not preside over a meeting in which a vote of no-confidence is discussed against him, but he shall have the right to speak or otherwise take part in the proceedings of such meeting.

Assembly Hall,
Panaji,
2nd April, 1977.

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