

SEVENTH GOA LEGISLATIVE ASSEMBLY

(Fifteenth Session, 2021)

FOURTH REPORT

(2021)

OF THE

BUSINESS ADVISORY COMMITTEE

(Presented to the House on the 28th July , 2021)

GOA LEGISLATURE SECRETARIAT

PORVORIM-GOA

SEVENTH LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

(Fifteenth Session, 2021)

**FOURTH REPORT (2021) OF THE
BUSINESS ADVISORY COMMITTEE**

A sitting of the Business Advisory Committee was held on 16th July, 2021 at 4.00 pm in the Speaker's Conference Room, Assembly Complex, Porvorim-Goa to consider the Business to be transacted during the Fifteenth Session, 2021 of the Seventh Goa Legislative Assembly of the State of Goa.

2. The following were present:

COMMITTEE

1. Shri Rajesh Patnekar, Hon'ble Speaker.....Chairman
2. Shri Isidore Fernandes.....Dy. SpeakerMember
3. Dr. Pramod Sawant.....Chief MinisterMember
4. Shri Digambar Kamat..... .Leader of OppositionMember
5. Shri Mauvin Godinho..... .Minister for Leg. AffairsMember
6. Shri.Churchill Alemao.....MLA.....Member
7. Shri Ramkrishna Dhavalikar ... MLA.....Member
8. Shri Vijai Sardesai..... MLA.....Member

GOA LEGISLATURE SECRETARIAT

1. Namrata Ulman, Secretary
2. Shri H.Noronha, Joint Secretary
3. Shri Mohan Gaonkar, Under Secretary
4. Smt Farida Muzawar, Section Officer

GOVERNMENT OFFICERS

1. Shri Parimal Rai,Chief Secretary
2. Shri Puneet Kumar Goel, Secretary, Finance
3. Shri Chokha Ram Garg, Secretary, Law
4. Shri D.S.Raut Dessai, Jt.Secretary, Law

3. The Committee took up for consideration Memorandum No. 3 of 2021 placed before it (Annexure-I).

4. The Committee recommended the following:
 1. The General Discussion on the Budget that had commenced on 25th March, 2021, during the Fourteenth Session, would not be taken up.
 2. As there were only 3 days available, the Discussion and Voting on Demands for Grants would be taken up on all 3 days.
 3. On Friday, the Demands for Grants would be taken up only after the conclusion of Private Members' Business that is listed.
 4. On Friday 30th July, 2021 at 7.00 p.m, the guillotine will be enforced to pass The Goa Appropriation Bill, 2021 relating to Budget for the year 2021-22. Thereafter presentation of the Supplementary Demands and the Goa Appropriation Bill related to Supplementary Demands can be introduced. If discussion is permitted, Speaker is at discretion to enforce guillotine for Appropriation Bill.
 5. The relevant rules to that effect relating to General Discussion, Demands for Grants and Calling Attentions may be suspended to that extent for the Session.
 6. 4 Calling Attentions may be allowed to be tabled per day for the Session.
 7. 7 Zero Hour Mentions may be tabled per day for the Session.
 8. The Committee agreed that the Bills as listed in Annexure-I may be introduced by the Government.
 9. The Government may also introduce further bills that were not forwarded to the BAC meeting in time.
 10. The Speaker would make Obituary References on the first day of the Session.
 11. On the Second day Speaker would make Obituary references with regard to Members /Ex-Members of the House only.
 12. Congratulatory References would also be made by Speaker only even if tabled by other MLAs' which would be taken up on the last day of Session.
 13. The Time Table showing the day to day Business order for the Fifteenth Session, 2021 as placed at Annexure –II, was adopted by the Committee.
 14. NOTE OF DISSENT- was forwarded to the Committee by the following Members:
 1. Shri Digambar Kamat, Leader of Opposition is shown at Annexure-III.
 2. Shri Vijai Sardessai, MLA is shown at Annexure- IV.

ANNEXURE-I

SEVENTH GOA LEGISLATIVE ASSEMBLY

BUSINESS ADVISORY COMMITTEE (2021)

MEMORANDUM NO.3 OF 2021

Tentative List of Business for the Fifteenth Session (Seventh Legislative Assembly) 2021

The Government has sent a tentative programme of list of Government Business for the Fifteenth Session of the Seventh Legislative Assembly which is as follows:

1. LEGISLATIVE BUSINESS

1. The Goa Goods and Services Tax (Amendment) Bill, 2021.
2. The Goa Agricultural Tenancy (Amendment) Bill, 2021.
3. The Goa Investment Promotion and Facilitation of Single Window Clearance Bill, 2021.
4. India International University of Legal Education and Research of the Bar Council of India Trust at Goa, Bill, 2021.
5. The Goa Waste Management (Amendment) Bill, 2021.
6. The Goa Municipalities (Amendment) Bill, 2021.
7. The Goa Laws (Amendment) Bill, 2021.
8. The Goa Preservation of Trees (Amendment) Bill, 2021.
9. The Goa Agricultural Produce and Live Stock Marketing (Promotion and Facilitation) (Amendment) Bill, 2021.
10. The Goa Shops and Establishment (Amendment) Bill, 2021.
11. The Goa Town and Country Planning (Amendment) Bill, 2021.
12. The Goa Cooperative Societies (Amendment) Bill, 2021.
13. The Indian Stamp (Amendment) Bill, 2021.
14. The Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2021.
15. The Goa Mineral Development Corporation Bill, 2021.
16. The Goa Film Shooting Bill, 2021.
17. The Goa Panchayat Raj (Amendment) Bill, 2021.

2. FINANCIAL BUSINESS

1. Introduction, Consideration and Passing of The Goa Appropriation Bill, 2021(relating to Budget for the year 2021-22).
2. Presentation of Supplementary Demands for Grants, 2021-22(First Batch).
3. Introduction, Consideration and Passing of The Goa Appropriation Bill, 2021 (relating to Supplementary Demands for Grants, 2021-22 (First Batch).

3. OTHER BUSINESS

The Committee may consider allotment of time for the aforesaid business to be transacted during the Fifteenth Session, 2021.

ANNEXURE-II
DAY TO DAY BUSINESS ORDER FOR THE FIFTEENTH SESSION, 2021

Wednesday, 28 July, 2021

- (i) Discussion & Voting on Demands (Day-1)
- (ii) Government Bills –introduction (if any)

Thursday, 29th July, 2021

- (i) Discussion & Voting on Demands (Day-2)
- (ii) Government Bills –introduction (if any)

Friday, 30th July, 2021

- (i) Private Members' Business
- (ii) Discussion & Voting on Demands (Day-3)
- (iii) Introduction, Consideration and Passing of the Goa Appropriation Bill, 2021(relating to Budget for the year 2021-22).
- (iv) Presentation, Discussion and Voting on Supplementary Demands for Grants 2021-22 (First Batch).
- (v) Introduction, Consideration and Passing of the Goa Appropriation Bill, 2021 relating to Supplementary Demands for Grants for the year 2021-22(First Batch).
- (vi) Government Bills Consideration and Passing

PORVORIM, GOA
DATE: 16 -07-2021

NAMRATA ULMAN
SECRETARY

Annexure -III

(Note of Dissent by Shri Digambar Kamat, Leader of Opposition)

Ref. No. LOP/BAC/March/2021/

Date: - 16/07/2021

To,
The Speaker,
Goa Legislative Assembly,
Legislative Assembly Complex,
Porvorim- Goa.

**Sub: - Objections and Recommendations placed before Business
Advisory Committee Meeting Scheduled on Friday 16th July 2021.**

Respected Sir,

I refer to the Third Report (2021) of the Business Advisory Committee (BAC) presented to the House on 30th March 2021 pertaining to the sitting of the BAC on 30th March 2021 at 1.00 pm in the Speakers Foyer Room, Assembly Complex, Porvorim- Goa.

It is clearly stated in Point No. 4 of 4 of the said BAC Report, that the sitting of the Assembly be adjourned to 19th July 2021 to take up the remaining Business that is before the House on corresponding days to be discussed later by the BAC.

I would like to place on record the Order of the Governor of Goa dated 28th June 2021 summoning the Fifteenth Session of the Seventh Legislative Assembly of the State of Goa to commence on Wednesday, 28th July 2021. I am also placing before you the Bulletin No. 253, dated 28th June 2021 issued by Secretary- Legislature announcing the Calendar of sittings for the said Session.

It is shocking to note that despite the decision taken by the BAC on 30th March 2021 to recommend the sitting of the Fourteenth Session of the Assembly be adjourned to 19th July 2021 to take up the remaining Business that is before the House on corresponding days to be discussed later by the BAC, the Government prorogued the last Session without informing the Members of the BAC. The Government has now gone ahead in convening the Fifteenth Session of the Seventh Legislative Assembly just for three days, commencing from Wednesday, 28th July 2021 to Friday, 30th July 2021. This act of the Government is breach of the decision taken by the Business Advisory Committee. The time table announced by the Goa Legislature Department has resulted in the following:

1. The Constitutional Right of the Elected Representative to table questions pertaining to various Departments is snatched by the Government. As per Rule No. 43 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly, "A Member cannot table more than 3 Starred and 15 Unstarred questions for a sitting and each question shall relate to one single subject". The time table announced by the Legislature Secretariat has 20 Departments listed for the the 1st day of the Session, 25 Departments for the 2nd day and 17 Departments listed for the 3rd day of the Session. This clearly exposes the fact that the Members will not be able to table questions on all the Departments on a particular day.
2. The last day of the Session falls on Friday, 30th July 2021. The BAC had decided in the past that only Private Business should be taken up on Friday's. This will effectively give only 2 days time to the Government to transact the Official Business.
3. It is important that the Members are allowed to raise various issues concerning the People of Goa through "Zero Hour Mention", "Calling Attentions" etc. The Government must allow Seven Zero Hour Mentions and Seven Calling Attentions per day giving maximum opportunity to the Opposition Members. Also Private Members' Bills have to be allowed as provided under Rule 130 of the rules of Procedure of the House.
4. It is observed that the Replies to the Starred and Unstarred Legislative Assembly Questions (LAQ's) are given at the last moment. The replies are found to be incomplete and on many occasions misleading and false. The replies to the Starred Questions must be given with complete and factual information strictly two days before the sitting for the day fixed for answer of the said question. Even if the answer is voluminous, the reply in hard copy must be provided to the Member who has tabled the said question. In the event of non-availability of the reply within the stipulated time, the said question must be postponed to a next date of sitting of the House.
5. Goa is passing through critical times due to Covid Pandemic, Economic Slowdown, Stoppage of Mining Industry and Collapse of Tourism Industry, Disruption in Academic Career of Students due to unavailability of consistent and uninterrupted Network Connectivity in Rural as well as Urban Areas, Rising unemployment due to closure of various Business Activities etc. The Government has also failed in providing timely relief and compensation to the people who lost their lives and livelihoods in Covid Pandemic and Cyclone Tauktae.

The Government has still not announced compensation to the Covid Patients who died in Goa Medical College Hospital due to shortage of Oxygen on account of mismanagement and insensitivity of the Government. There is anger amongst the people against the attempts made by the Government to suppress the Voice of the People during the Draft Coastal Zone Management Plan Public Hearings. People of Goa are awaiting a White Paper on Mhadei and Financial Status of Goa as well as Covid Pandemic. The rising number of Crimes with day light attacks on Citizens and repeated incidents of day light shootings has created fear in the minds of the people. The steep rise in unlawful activities has converted Goa into a Crime Mafia Destination.

We need sufficient time to discuss on all the above issues in detail and find solutions to minimise the sufferings and pains of the People of Goa.

In view of the above, I demand that at least a nine day session, which are actually the balance days of the previous session must be convened immediately.

Thanking you,

Yours Truly,

(Digambar Kamat)
Leader of Opposition

Annexure -IV

(Note of Dissent by Shri Vijai Sardesai, MLA)

Date: 16th July 2021

To
Shri Rajesh Patnekar
Hon'ble Speaker
Goa Legislative Assembly
Porvorim – Goa.

Sir,

I am writing this letter with great anguish because the nominal three-day session of the Legislative Assembly from 28th July to 30th July 2021 is a great injustice to the people of Goa and their elected representatives. We, the MLAs, who have been elected to serve the people by legislating and discussing and debating the views, hopes & aspirations and issues & problems of our constituents, are failing them miserably by participating in only token, nominal and mandatory legislative sessions.

The opposition in the present Assembly has repeatedly demanded a full session to be held as many important and critical issues facing Goans and our future generations have to be debated and discussed so that their future is salvaged and protected. All our requests and demands have come to naught so far and there appears to be a premeditated and scheming approach of the ruling benches to avoid bringing up these issues on the floor of the House. This is an obvious plot to bulldoze through all the anti-people actions of the government without allowing any proper debate.

Please recall that, during the 14th Session of the present Assembly, on 30th March 2021, an emergency BAC meeting was held in your chamber, and in view of the Covid situation and the municipal polls, the session was adjourned till 19th July 2021. The state budget was to be passed during this session from 19th July onwards, which was to be of 10 days duration with all the remaining business scheduled from 30th March to 16th April to be carried over. The next day, on 31st March 2021, the Calendar of Sitting for the 14th Session was issued by the Secretary, Legislature and it indicated that the earlier scheduled business of the House from 30th March to 16th April would now be scheduled from 19th July to 2nd August. The bulletin also specified that the session was not prorogued and that all notices issued including Private Member's Bills, Resolutions and Calling Attention Motions would remain valid.

However, very suddenly and astonishingly, the Secretary, Legislature issued a bulletin on 12th May 2021 that the Hon'ble Governor of Goa had prorogued the 14th Session with effect from 12th May. This was done without holding any BAC meeting or even consulting any opposition MLA. It was an obvious betrayal of the people of Goa and the promise that the remaining business of the 14th Session would be completed has been totally reneged on. This is an unprecedented fraud on the people of Goa depriving them of their fundamental right of being represented in the Legislative Assembly by their elected representatives. The ploy to replace these 10 days of important and critical business by a mere 3 days of tokenism is unacceptable and contravenes the constitutional rights of the people of Goa. This will mean that even the budget will have to be passed without proper discussion on the demands within 3 days, which is just not acceptable.

Sir, you, as the Hon'ble Speaker of the Assembly, have to act in an unbiased manner in this regard and have to place the protection of Goa's beautiful environment and the future of our coming generations over and above any petty and partisan political interests. The severity of the pandemic is, presently at its lowest. As such, I wish to remind you of your promise to the people of Goa, through the electronic media, that you will hold a full session of the House, as soon as it is possible, and ensure that all the unfinished business of the 14th Session including discussions on the budget will be completed. I am confident that you will stand by your promise and act to convert the coming 3-day session to a full session, including all the unfinished business of the 14th Session, so that the people of Goa are delivered true justice.

Thanking You,

Vijai Sardesai
Legislative Party Leader
Goa Forward Party