

Department of Law
Legal Affairs Division

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Notification

7/21/2023-LA

The Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 2023 which has been passed by the Legislative Assembly of Goa on 31-03-2023 and assented to by the Governor of Goa on 16-06-2023, is hereby published for the general information of the public.

Dnyaneshwar Raut Dessai, Joint Secretary (Law).

Porvorim, 22nd June, 2023.

The Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 2023

(Goa Act 22 of 2023) [16-6-2023]

An

Act

further to amend the Legislative Diploma No. 2070 dated 15-4-1961, in its application to the State of Goa.

BE it enacted by the Legislative Assembly of Goa in the Seventy-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 2023.

(2) It shall come into force at once.

2. *Amendment of article 39.*— In article 39 of the Legislative Diploma No. 2070 dated 15-4-1961 (hereinafter referred to as the “principal Code”), for the words “prescribed in this Code”, the words “prescribed in this Code and rules framed thereunder” shall be substituted.

3. *Amendment of article 50.*— For article 50 of the principal Code, the following article shall be substituted, namely:—

“Art. 50— An outgoing member of the managing committee of the comunidade shall be eligible for re-election.”.

4. *Amendment of article 70.*— In article 70 of the principal Code,—

(i) in clause (1), the following proviso shall be inserted, namely:—

“Provided that during the pendency of such inquiry, the Government may if it is found expedient, suspend such committee and appoint an Officer of the Government to take charge of the affairs of such Comunidade till the completion of such inquiry.”;

(ii) in clause 3, for the expression “and shall pay the fine of Rs. 50/-”, the expression “and each such member shall pay the fine of Rs. 10,000/- (Rupees ten thousand only)” shall be substituted.

5. *Amendment of article 327.*— In article 327 of the principal Code, for the expression “5 meters”, the words “ten meters” shall be substituted.

6. *Amendment of article 334-A.*— In article 334-A of the principal Code,—

(i) in clause (vii), for the words “Landless Jonoeiros”, the words “Landless Jonoeiro of the concerned Comunidade” shall be substituted;

(ia) after clause (viii), the following clause shall be inserted, namely:—

“(viii) (a) landless children of the components of the respective Comunidades who have attained the age of eighteen years.”;

(ii) in the seventh proviso, for the expression “Rs. 3,50,000/-”, the expression “Rs. 15,00,000/-” shall be substituted;

(iii) in the Explanation 1, after the words “owns a plot of land or house”, the expression “or an undivided share in ancestral property which, on the date of making application for grant of land, has

been separately allotted share either in family partition or Settlement or allotted through Court proceedings or otherwise” shall be inserted;

(iv) after Explanation 2, the following explanations shall be inserted, namely:—

“*Explanation 3.*— An applicant falling under clause (vii) above shall support his application by a certificate issued by the concerned Comunidade duly countersigned/attested by the Administrator of the concerned zone certifying that he is a jonoeiro of such Comunidade.

Explanation 4.— The children of the components of the Comunidades shall not be rendered ineligible for entitlement of the benefit of clause (viii) (a) above merely because either of their parent has been granted land under this Code for any purpose.”.

7. *Insertion of new article 334-C.*— After article 334-B of the principal Code, the following article shall be inserted, namely:—

“Art. 334-C— Notwithstanding anything contained in this Code, the Government may with the prior consent of the concerned Comunidade, grant land by way of long lease for any Government project or any public purpose, for such period and on such terms and conditions as it may deem fit, to any Government Department, Government undertaking, Government institution or statutory body constituted by Government.

Explanation.— For the purpose of this article, the words “public purpose” shall have the same meaning as assigned to them under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013).”.

8. *Insertion of new articles.*— After article 339 of the principal Code, the following articles shall be inserted, namely:—

“Art. 339-A— The Comunidade which is financially insecure may entrust the work of development of land, to any private agency, by public auction and/or by inviting bids subject to the approval of the Government so that it can grant sub-divided plots of land as per the provisions of this Code.

Article 339-B— The immovable properties belonging to and vesting in the Administrator of Comunidades in the North, Central and South Zones shall be considered as deemed to be covered by the provisions of the Goa Public Premises (Eviction of Unauthorised Occupants) Act, 1988 (Goa Act No. 22 of 1988) and shall be considered as public premises within the said Act for the purposes of the said Act.”.

Subhash Chandra, IAS
Law Secretary (Link)
Secretary to the
Government of Goa,
Law Department
(Legal Affairs).

Secretariat,
Porvorim-Goa.

Dated: 22-06-2023.

Government Printing Press

Note

In Official Gazette, Series I No. 11 (Extraordinary No. 2) dated 20-06-2023, at pages No. 1011 under the heading Department of Home, the Notification may be corrected to read as “2/9/2022/HD(G)/1659” instead of “2/9/2022/HD(G)/659”.

Rest of the content of the Notification remains unchanged.

Publication Division

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