



LEGISLATIVE ASSEMBLY OF THE
STATE OF GOA

The Goa Land Use (Regulation) (Amendment) Bill, 2012

(Bill No. 25 of 2012)

(To be introduced in the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT,
ASSEMBLY HALL, PORVORIM-GOA**

AUGUST, 2012

**The Goa Land Use (Amendment)
Bill, 2012**

(Bill No. 25 of 2012)

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BILL

*to amend the Goa Land Use (Regulation) Act, 1991
(Goa Act 3 of 1991).*

5 BE it enacted by the Legislative Assembly of
Goa in the Sixty-third Year of the Republic of
India, as follows:-

1. *Short title and commencement.*— (1) This Act
may be called the Goa Land Use (Regulation)
10 (Amendment) Act, 2012.

(2) It shall come into force from the date of its
publication in the Official Gazette.

2. *Amendment of section 2:*— In section 2 of
the Goa Land Use (Regulation) Act, 1991 (Goa
15 Act 3 of 1991) (hereinafter referred to as the
"principal Act"), after the expression " the Goa,
Daman and Diu Agricultural Tenancy Act, 1964
(Act 7 of 1964)" and before the expression "shall
be used", the expression " or any land, purchased
20 or in respect of which right of any kind is acquired,
in execution of a decree of a Civil Court or of a
Revenue Court, as the case may be, or any other
land" shall be inserted.

3. *Insertion of new sections 2A* After section 2
25 of the principal Act, the following new sections
shall be inserted, namely:-

"2A. Restriction on the owner of land.—

(1) The owner of land as referred to in section 2 shall not transfer any such land either by way of sale, or gift, or exchange, or lease, in favour of any person, including foreigner, other than agriculturist. 5

(2) No owner of land as referred to in Section 2 shall use or allow it to be used for any purpose other than agriculture.

Explanation:— For the purpose of this section, "Agriculturist" means a person who cultivates land personally in the State of Goa. 10

(3) Any transfer of land, in contravention of the provisions of sub-section (1) shall be deemed to be void and non-est in the eyes of law and shall not confer any right, title to, or interest in the transferee. 15

(4) If any question arises as to whether any land is an agricultural land or not, the Director of Agriculture, Government of Goa, shall after holding an inquiry, decide such question. 20

5. Notwithstanding anything contained in any other law or rules, regulations, bye-laws, schemes, framed there under, or any judgement, decree, writ, order or declaration of any court whatsoever, from the date of the commencement of the Goa Land Use (Regulation) (Amendment) Act, 2012, no administrative, statutory, public authority or any other authority under any law shall grant permission/no objection certificate/approval/clearance/sanad/conversion/sanction, to use the land as referred to in section 2 for any purpose other than agriculture. 25 30

Statement of Objects and Reasons

The agricultural land mass in the State of Goa is reducing day by day due to use of agricultural land for non-agricultural purposes. Many times without obtaining proper sanad from the statutory authority for such use.

In order to protect the existing agricultural land in the State of Goa, the Bill seeks to amend Section 2 of the Goa Land Use (Regulation) Act, 1991 (Goa Act 3 of 1991), so as to prohibit use of the agricultural land for any purpose other than agriculture.

The Bill further seeks to insert a new section 2A in the said Act so as restrict the owner of an agricultural land from transferring such land in favour of any person, including foreigner, other than agriculturist.

This Bill seeks to achieve the above object.

Financial Memorandum

No Financial implications are involved in this Bill

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa,
Date: 6th August, 2012.

Adv. FRANCIS D'SOUZA
Minister for Revenue

Assembly Hall,
Porvorim-Goa,
Date: 6th August, 2012.

N. B. SUBHEDAR
Secretary Legislative

ANNEXURE

Bill No. 25 of 2012

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The Goa Land Use (Regulation) (Amendment) Bill 2012
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2. *Regulation of Use of Land* .— Notwithstanding anything contained in the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) or in any plan or scheme made there under or in the Goa Land Revenue Code, 1968 (Act 9 of 1969), no land which is vested in a tenant under the provision of the Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Act 7 of 1964) shall be used or allowed to be used for any purpose other than agriculture.

3. *Exemption*.— The provisions of this Act shall not apply to acquisition of any land vested in a tenant under the Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Act 7 of 1964) by the State for a Public Purpose under the provisions of the Land Acquisition Act, 1894 (Central Act 1 of 1894).

Assembly Hall,
Porvorim-Goa,

Dated: 6th August, 2012.

N. B. Subhedar
Secretary Legislative