

**The Goa Mundkars (Protection from Eviction)
(Amendment) Bill, 2014**

(Bill No. 18 of 2014)

A

BILL

further to amend the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act 1 of 1976)

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

1. **Short title and commencement:-** (1) This Act may be called the Goa Mundkars (Protection from Eviction)(Amendment) Act, 2014.

(2) It shall come into force at once.

2. Insertion of new sections 37A and 37B.- After section 37 of the Goa, Daman and Diu Munkars (Protection from Eviction) Act, 1975 (Act 1 of 1976), the following sections shall be inserted, namely:-

“37A Time limit for applications and disposal.- (1) No Mamlatdar shall entertain any application under section 8A and/or 16 of this Act unless it is filed within a period of one year from the date of commencement of the Goa Mundkars (Protection from Eviction)(Amendment) Act, 2014.

(2) Every application filed under sub-section (1) shall be disposed off by the Mamlatdar within a period of one year from the date of receipt thereof.

37B. Disposal of proceedings.- (1) All applications filed under sections 8A and 16 and/or proceedings pending under section 29 of this Act, before the commencement of the Goa Mundkars (Protection from Eviction)(Amendment)Act, 2014, shall be disposed off by the Mamlatdar within a period of one year from such commencement.

(2) No adjournments shall be granted by the Mamlatdar in any matter pending before him except on medical grounds or for reasons to be specified in writing. Once adjournment is refused, the Mamlatdar shall proceed to dispose the matter before him on merits.”.

STATEMENT OF OBJECTS AND REASONS

The Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975, (Act 1 of 1976)(hereinafter referred to as the “said Act”) is beneficial legislation which was enacted for protection of mundkars in the year 1975. Over a period of almost four decades, various mundkars have been protected from being evicted from their dwelling houses. The Mamlatdars and Joint Mamlatdars are disposing the matters pertaining to mundkars and as of now there are around 2800 cases pending for disposal with the office of Mamlatdars, in the entire State of Goa.

The Bill seeks to introduce Sunset clause to Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975, and hence a new section 37A is proposed to be introduced to make a provision that all applications under section 8A and/or section 16 will have to be filed within a period of one year from the date of commencement of Goa Mundkars (Protection from Eviction) (Amendment) Act, 2014. Further, it is provided that all such applications filed shall be disposed off within a period of one year from the date of receipt of such application.

The Bill also seeks to make a provision to provide for disposal of pending proceedings, vide inserting section 37B. Under the said section it is sought to provide that all the applications filed under section 8A and 16 and proceedings under section 29 shall be disposed off by the Mamlatdar within a period of one year from the commencement of this Amendment Act. Further, it is sought to provide that no adjournment shall be granted by the Mamlatdar in any matter pending before him except on medical grounds and for reason to be specified in writing.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is involved in this Bill.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

**Porvorim-Goa.
13th August, 2014**

**Shri Francis D’Souza
Minister for Revenue**

**Assembly Hall,
Porvorim-Goa.
13th August, 2014**

**Shri Nilkant Subhedar
Secretary to the
Legislative Assembly of Goa**