



## LEGISLATIVE ASSEMBLY OF GOA

### The Goa Municipalities (Amendment) Bill, 2001

(Bill No ~~25~~<sup>23</sup> of 2001)

*(By Shri Luis Alex Cardozo)*  
M.L.A.

As \_\_\_\_\_  
(~~It~~ introduced in the Legislative Assembly of Goa)  
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GOA LEGISLATURE SECRETARIAT  
ASSEMBLY HALL, PORVORIM, GOA  
MARCH, 2001

**The Goa Municipalities (Amendment)  
Bill, 2001**

(Bill No 23 of 2001)

A

BILL

*further to amend the Goa Municipalities Act,  
1968 (Act 7 of 1969).*

Be it enacted by the Legislative Assembly of Goa  
in the Fifty-second Year of the Republic of India as  
follows:—

1. Short title and commencement.— (1) This Act  
may be called the Goa Municipalities (Amendment)  
Act, 2001.

(2) It shall come in to force at once.

2. Insertion of section 225 A.— After section 225  
of the Goa Municipalities Act, 1968 (Act 7 of 1969)  
the following section shall be inserted, namely:—

"225 A. Discharge of sewage in open  
spaces.— (1) Notwithstanding anything in  
sections 223, 224 and 225, whoever, being the  
owner or occupier of any residential or  
commercial premises, whether private or public,  
discharges sewage or any other filth from the  
septic tanks or any other receptacles in open  
spaces or in drains not meant for the purpose of  
such discharge, shall be punished, pending  
conviction, with a fine of two thousand rupees  
per day until such discharge is completely  
stopped by such owner or occupier and, on  
conviction, shall further be punished with a fine  
of ten thousand rupees.

(2) The Chief Officer, in addition to imposing the fines as aforesaid, shall also pass necessary orders for recovering the cost from such owner or occupier, incurred on removing the sewage or filth so discharged in the open spaces or drains, for abating the nuisance."

Statement of Objects and Reasons

It has become a common practice for residents to discharge filth and sewage from the septic tanks in the Municipal drains or on nearby open spaces causing nuisance to the residents of the locality. Builders fail to provide septic tanks of adequate sizes to cater to the needs of all the flat owners resulting in such nuisance. As per the existing provisions of the Goa Municipalities Act, 1968, the Council or the Chief Officer cannot take prompt action to prevent such nuisance. What is provided in the Act is conviction of defaulters in the Court of Law which is a lengthy process. The nuisance caused however will have to be urgently curbed. A need is therefore felt to impose fines pending conviction. The Act seeks to achieve this objective.

Financial Memorandum

No financial implications are involved in this Bill.

Porvorim - Goa  
2 March, 2001

LUIS ALEX CARDOZO  
M.L.A.

Assembly Hall,  
Porvorim - Goa,  
12 March, 2001.

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R. KOTHANDARAMAN  
Secretary (Legislature)

ANNEXURE

Extracts of the Goa Municipalities Act, 1968  
(Act 7 of 1969)

Nuisance

223. *Depositing dust, etc., committing nuisance.*— (1) Whoever deposits or causes or suffers any member of his family or household to deposit any dust, dirt, dung, ashes, refuse or filth of any kind or any animal matter or any broken glass or earthenware or other rubbish or any other thing that is or may be a nuisance or danger, drain beside a street or on any open space not being private property in any street or in any arch under a street or in any quay, jetty or landing place or on any part of the seashore, or the bank of a tidal river, or whether above or below highwater mark, or on the bank of the river, water course or nullah, except at such places, in such manner and at such hours as shall be fixed by the Chief Officer, and whoever commits or suffers any members of his family or household to commit nuisance in any such place as aforesaid, shall, on conviction, be punished with fine which may extend to one hundred rupees.

(2) Whoever throws or puts or causes or suffers any members of his family or household to throw or put any of the matters described in sub-section (1) Chief Officer, any night-soil into any drain, culvert, tunnel, gutter or water-course, and whoever commits nuisance or suffers any member of his family or household to commit nuisance in any such drain, culvert, tunnel, gutter or water-course, or in such close proximity thereto as to pollute the same, shall, on conviction, be punished with fine which may extend to one hundred rupees.

224. *Discharging sewage, etc.*— Whoever causes or allows the water of any sink, sewer or cesspool or any other liquid or other matter which is or which is likely to become a nuisance, from any building or land under his control, to run, drain or be thrown or put upon any street or open space, or to soak through any external wall, or

causes or allows any offensive matter from any sewer or privy to run, drain or be thrown into a surface drain in any street without the permission in writing of the Chief Officer or who fails to comply with any condition prescribed in such permission, shall, on conviction, be punished with fine which may extend to one hundred rupees.

225. *Non-removal of filth, etc.*— Whoever, being the owner or occupier of any building or land, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil, filth or any noxious or offensive matter, in or upon such building or land, or suffers such receptacle to be in a filthy or noxious state, or neglects to employ proper means to remove the filth from and to cleanse and purify such receptacle, or keeps or allows to be kept in or upon such building or land any animal in such a way as to cause a nuisance, shall, on conviction, be punished with fine which may extend to one hundred rupees, and in the case of continuing offence with further fine which may extend to twenty rupees for every day after the first during which such contravention continues.

Assembly Hall,  
Porvorim - Goa,  
12 March, 2001.

R. KOTHANDARAMAN  
Secretary (Legislature)