



LEGISLATIVE ASSEMBLY OF GOA

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

(Bill No. 25 of 2001)

(By Shri Jitendra Deshprabhu)

M. L. A.

AS
~~To~~ be introduced in the Legislative Assembly of Goa

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PANAJI
MARCH, 2001.**

The Goa Municipalities (Amendment) Bill, 2001.

(Bill No. 25 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 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 be deemed to have come into force
with effect from the 1st day of April, 2001.

2. Amendment of section 88. — In section 88 of
the Goa Municipalities Act, 1968 (Act 7 of 1969),
after the existing proviso to sub-section (3), the
following proviso shall be inserted:

“Provided further that in respect of
immoveable property falling within the
jurisdiction of a ‘C’ class Municipal Council and
whose population does not exceed 10,000 such
Municipal Council may be review the lease of
such immovable property at such rate of
rental which shall not be less than Rs. 7/- per
sq. mt. per month in case of commercial
establishments.”.

Statement of Objects and Reasons

After the insertion of new proviso to the existing proviso to sub-section (3) of section 88 of this Act will provide the proper taxation in respect of property in case of "C" class councils whose population does not exceeds 10,000, The Bill seeks to achieve this objective.

Financial Statement

No financial implications are involved in the bill.

Porvorim-Goa
13 March, 2001.

JITENDRA DESHPRABHU
M. L. A.

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

R. KOTHANDARAMAN
Secretary (Legislature)

ANNEXURE

.....
Extracts from the Goa Municipalities Act, 1968
(Act 7 of 1969)
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88. Provisions Regarding Transfer of Municipal Property

(1) No Council shall transfer any of its immovable property without the sanction of the Government.

(2) A proposal of such transfer shall be accompanied by a resolution of the Council passed at a meeting by a majority of not less than two-thirds of the total member of Councillors and shall in no way be inconsistent with the rules made in this behalf by the Government.

(3) ¹[Notwithstanding anything contained in sub-section(1), a Council may lease its immovable property for a period not exceeding three years with appropriate annual rate of increase in rent and these shall not be allowed to make any permanent constructions on such immovable property. Such lease may renewed by the Council beyond the period of three years with the permission of the Director, who shall decide the reasonability of annual increase in rentals before issuing permission for extending the lease period:

Provide that in respect of immovable property of a Council where the period has already expired and the leases are not renewed, the

Council may renew the leases of such immovable properties at such rate of rental which ² [shall not be less than Rs. 12/- per Sq. meter per month in case of commercial establishment and shall not be less than ³[Rs. 5/- per sq. metre per month]³ in case of residential establishment, the reasonability of which shall be decided by the Director before issuing permission for extending the lease period]¹.

[(4) If any person refuses or fails to vacate the Municipal Premises after expiry of lease period or for any other reason and after due notice from the Council, he shall be evicted from the said premises by the Director or any other Officer authorised by him in this behalf and designated as Estate Officer and notified under the provisions of the Goa Public Premises (Eviction of Unauthorised Occupants) Act, 1988, (Act 22 of 1988).]¹

Assembly Hall,
Porvorim, Goa
14 March, 2001.

R. KOTHANDARAMAN
Secretary (Legislature)