



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Legislative diploma
No. 2070 dated 15-4-1961
(Amendment) Bill, 2006**

(Bill No. 6 of 2006)

AS

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

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

MARCH, 2006

**The Goa Legislative diploma No. 2070
dated 15-4-1961 (Amendment) Bill, 2006**

(Bill No. 6 of 2006)

A

BILL

5
further to amend the Legislative Diploma
No. 2070 dated 15-4-1961, in its application to
the State of Goa.

10 BE it enacted by the Legislative Assembly of
Goa in the Fifty-seventh 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, 2006.

15 (2) It shall come into force at once.

2. *Insertion of new article 334-B.*— After article
334-A of the Legislative Diploma No. 2070 dated
15-4-1961, the following article shall be inserted,
namely:-

20 "334-B.— Notwithstanding anything contained
in articles 334 and 334-A, but subject to
article 327, any Government Department
or Local Authority or Statutory Corporation
or Government Company may be granted
25 Comunidade land on lease, without
auction".

Statement of Objects and Reasons

Article 334-A of the Legislative Diploma No. 2070 dated 15-4-1961 provides for grant of Comunidade land on lease for various categories and for various purposes as specified therein subject to certain restrictions as regards the area of land that may be granted on lease as aforesaid.

Various projects and schemes of the Government are to be implemented and for which purpose large area of land is required. However, the restriction as regards the area of land to be granted proves to be a hindrance in the implementation of the various schemes, projects of the Government.

It is, therefore, proposed to suitably amend the said Legislative Diploma No. 2070 dated 15-4-1961 by inserting new article 334-B therein so as to provide for grant of Comunidade land on lease without auction and without any restriction as regards the area, to the Government Departments or Local authority or statutory Corporation or Government Company.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill as no expenditure will be incurred by the Government. On the contrary, the Comunidade will be earning revenue by way of lease rent, etc. However, any expenditure that may be incurred

by a Government Department towards payment of lease rent etc. to the Comunidade cannot be quantified at this stage.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim, Goa
9th March, 2006

PRATAP Singh RAOJI RANE
Chief Minister

Assembly Hall,
Porvorim, Goa
9th March, 2006.

T. M. DHURVA KUMAR
Secretary Legislature

ANNEXURE

**Extract of present provisions of ARTICLE 334-A
of the Goa Legislative diploma No. 2070
dated 15-4-1961 (Code of Comunidade)**

Notwithstanding anything contained in article 334, but subject to article 327, a Comunidade may subject to such guidelines as the Government may from time to time issue, grant on lease not more than 10,000/- sq. metres of land to educational societies for construction of playground and not more than 400 sq. meters of land for construction of houses or buildings, without auction, to any of the following categories or purposes except that the Co-operative Housing Societies of landless person may be granted land not more than 800 sq. mtrs.

- (i) Public, charitable or Religious Institutions;
- (ii) For any scheme of providing housing to the economically weaker sections;
- (iii) Small Scale Industrial purposes;
- (iv) Government Department or local bodies;
- (v) Co-operative Housing Societies of landless persons;
- (vi) Government servants or employees of the Comunidade who are landless;
- (vii) Landless Jonoeiros;
- (viii) Landless freedom fighters;
- (ix) Such other categories or purposes as may be notified by the Government, from time to time.

Provided that every notification issued under this clause shall be laid, as soon as may be, after it is issued, before the Legislative Assembly;

Provided further that institutions of public utility and associations of professional bodies duly recognized

by the Government may also be granted not more than 10,000 sq. meters of Comunidade land on lease for construction of houses or buildings, without auction.

Provided further that the educational societies, institutions of public utility, social organization and associations of professional bodies duly recognized by the Government and have been granted Comunidade land under any other provisions of law or are in actual possession of the land shall be deemed to have granted the same under the provisions of this Legislative Diploma, on payment of annual lease rent.

Provided further that the Government may, with the prior consent of the concerned Comunidade, grant on lease, land admeasuring upto 2 lakh sq. mtrs. to any educational or health institution or any charitable and/or social trust or society or any similar social institution of public utility or engaged in the field of education or health, duly recognized by the Government, for the purpose of any Scheme, without auction.

Provided further that the Scheme for which such grant is made on lease shall be Scheme, which is duly approved by the Government and for which a certificate of "No objection" has been issued by the Government.

Provided further that the members of Co-operative Housing Societies and the persons belonging to the categories (vi), (vii) and (viii) above are residing in Goa for preceding 15 years;

Provided also that no person or members of the Co-operative Housing Societies as the case may be, whose annual income exceeds Rs. 3,50,000/- or such amount as may be prescribed by the Government shall be eligible for grant of land on lease without auction.

Explanation 1 — for the purpose of this Article, the word "Landless" means that neither the person nor his or her spouse or minor child owns a plot of land or house in the State of Goa. The word "house" shall also include a flat or apartment.

Explanation 2 — for the purpose of this Article, the annual income of the person shall be construed to mean the annual income of the person and of his or her spouse or minor child.

Assembly Hall,
Porvorim, Goa,
9th March, 2006.

N. V. DHRUVA KUMAR
Secretary Legislature