



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**THE GOA BUILDINGS (LEASE, RENT AND
EVICTION) CONTROL (AMENDMENT)
BILL, 2006**

(Bill No.5 of 2006)

(As introduced in the Legislative Assembly of the State of Goa)

GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM, GOA

**THE GOA BUILDINGS (LEASE, RENT AND EVICTION) CONTROL
(AMENDMENT) BILL, 2006**

(BILL NO. 5 OF 2006)

A

B I L L

further to amend the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968. (Act No.2 of 1969).

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 Buildings (Lease, Rent and Eviction) Control (Amendment) Act, 2006.

(2) It shall come into force at once.

2. Amendment of section 22.- In section 22 of the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act 2 of 1969), in subsection (2), in clause(e), for the expression “in place where such dwelling house is situated”, the expression “within an area of five kilometres radius from the outer limits of the city or village, as the case may be, where such dwelling house is situated” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

In terms of clause (e) of sub-section (2) of section 22 of the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968, (Act No.2 of 1969)(hereinafter referred to as the “said Act”), if the Controller, after giving the tenant a reasonable opportunity of showing cause against the application of landlord for the eviction of the tenant, is satisfied that the tenant of a dwelling house has, whether before or after the commencement of the said Act, 1968, built, acquired vacant possession of, or been allotted a residence in place where such dwelling house is situated, the Controller shall make an order directing the tenant to put the landlord in possession of the building.

In view of aforesaid provision, the eviction of tenant has become impossible in case where the tenant has built, acquired vacant possession of, or has been allotted, a residence, just in the outskirts of the city.

The object of the said Act, is to provide protection to the poor section of society but at the same time not to allow misuse of the same in case where the tenants are having their own accommodation in the nearby vicinity of the tenanted premises. Therefore, in line with the objectives of the said Act, the Bill seeks to amend section 22 of the said Act, so as to clear the ambiguity and remove the undue advantage availed by the tenant who has his own accommodation within an area of five kilometers radius from the outer limits of the city or village, as the case may be, where such dwelling house is situated.

The Bill seeks to amend clause (e) of sub-section (2) of section 22 of the said Act, so as to entitle the landlord to evict his tenant from the dwelling house, who has, whether before or after the commencement of the said Act, built,

acquired vacant possession of, or has been allotted, a residence within an area of five kilometers radius from the outer limits of the city or village, as the case may be, where such dwelling house is situated.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is involved in this Bill.

Porvorim, Goa
14th February, 2006

PRATAPSINGH RAOJI RANE
CHIEF MINISTER

Assembly Hall,
Porvorim, Goa,
14th February, 2006.

S.A. NARVEKAR
SECRETARY, LEGISLATURE

ANNEXURE

Extract of the section 22 (2)(e) of the Goa Building (Lease, Rent & Eviction) Control Act, 1968.

Section 22.- Grounds of eviction.-

(2) If the Controller, after giving the tenant a reasonable opportunity of showing cause against the application is satisfied-

(e) that the tenant of a dwelling house has, whether before or after the commencement of this Act, built, acquired vacant possession of, or been allotted a residence (in place where such dwelling house is situated) or

Assembly Hall,
Porvorim-Goa.

SUDHIR A. NARVEKAR
Secretary(Legislative)