



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**THE GOA LEGISLATIVE DIPLOMA  
No. 2070 dated 15-4-1961  
(Amendment) BILL, 2007.**

( Bill No. 3 of 2007 )

As

\_\_\_\_\_

(~~Printed~~ introduced in the Legislative Assembly of the State of Goa)

\_\_\_\_\_

**GOA LEGISLATURE SECRETARIAT  
ASSEMBLY HALL, PORVORIM, GOA  
JANUARY, 2007.**

**THE GOA LEGISLATIVE DIPLOMA No. 2070  
dated 15-4-1961 (Amendment) Bill, 2007**

**(Bill No. 3 of 2007)**

A

BILL

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

BE it enacted by the Legislative Assembly of  
Goa in the Fifty-seventh Year of the Republic of  
India, as follows:—

10 *1. Short title and commencement.— (1) This Act  
may be called the Goa Legislative Diploma No.  
2070 dated 15-4-1961 (Amendment) Act, 2007. (2)  
It shall come into force at once.*

15 *2. Amendment of Article 334-A.— In Article  
334-A of the Legislative Diploma No. 2070 dated  
15-4-1961, in the fourth proviso, for the words "to  
any educational", the words "to any  
non-polluting industry or educational" shall be  
substituted.*

### Statement of Objects and Reasons

Article 334-A of the Legislative Diploma No. 2070 dated 15-04-1961 (hereinafter referred to as the "said Act"), provides for grant of Comunidade land on lease for various categories and for various purposes as specified therein. Clause (iii) of said Article 334 -A of the said Act, provides for grant of not more than 400 sq.mts. of Comunidade land on lease for construction of buildings, without auction, for small scale industrial purposes. This land is inadequate to set up even a small scale industry having large employment potential. Apart from this, the existing provisions of the said Act do not provide for allotment of land to medium and large scale industry which generate large scale employment opportunities.

With a view to promote small, medium and large scale non-polluting industries, it is necessary to amend Article 334-A of the said Act to facilitate allotment of land to industries which generate employment to the locals and also revenue to the Government. The aforesaid amendment also aims at promoting non-polluting industries which are environment friendly.

This Bill seeks to amend Article 334-A of the Legislative Diploma No. 2070 dated 15-04-1961 so as to provide for grant of Comunidade land not exceeding 2 lakhs square meters on lease, without auction, to any non-polluting industry.

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      PRATAPSINGH RAOJI RANE  
17th January, 2007      CHIEF MINISTER

Assembly Hall,      T. N. DHURVA KUMAR  
Porvorim, Goa,      SECRETARY  
17th January, 2007 .      LEGISLATURE

ANNEXURE

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

"Article 334-A.— 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. meters of land to educational societies for construction of playgrounds, and not more than 400 sq. meters of land for construction of houses or buildings, without auction, to any of the following categories or for purposes except that the Co-operative Housing Societies of landless person may be granted land not more than 800 sq. mts.:—

- 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 Departments or local bodies;
- v) Co-operative Housing Societies of landless persons;
- vi) Government servants or employees of the Comunidades 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. metres 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, professional bodies duly recognized by the Government and have been granted Comunidade land under any other provisions of law or are in actual possessions 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 lakhs sq. mts. 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 or 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 or his or her spouse or minor child"

Assembly Hall,  
Porvorim, Goa  
17th January, 2007

T. N. DHRUVA KUMAR  
SECRETARY LEGISLATURE