



**Legislative Assembly of the State of
Goa**

Goa
**The Agricultural Tenancy
(Amendment) Bill, 2009**

(Bill No. 13 of 2009)

(Shri Dayanand G. Narvekar, MLA)

As
(~~To be~~ introduced in the Legislative Assembly of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM, GOA
JULY, 2009**

^{Goa}
The Agricultural Tenancy (Amendment)
Bill, 2009

(Bill No. 13 of 2009)

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BILL

to further amend the Agricultural Tenancy
(Amendment) Act, 1976.

Be it enacted by the Legislative Assembly of Goa
in the Sixtieth Year of the Republic of India, as
follows:-

1. *Short title.*— (1) This Bill may be called the
Agricultural Tenancy (Amendment) Bill, 2009.

(1) It shall extend to the whole of Goa.

(3) It shall come into force at once.

2. *Amendment to section 49:*— After section 49(1)
of the Agricultural Tenancy Act, 1964 the following
shall be added as follows.—

“Explanation:— For the purpose of this section
“interim order” shall not include injunction
order and such orders shall be subject to appeal
and revision.”

Statement of Objects and Reasons

Due to this vital and very crucial provision being absent in the Goa, Daman and Diu Agricultural Tenancy Act, 1964 the parties, specially the tenants have been put to enormous difficulties because the provision for preferring a revision application under the section 50(1) is very limited and once the Collector/Deputy Collector exercises that power, one way or the other in the revision application (first revision application) preferred to him, there is no right to an aggrieved party to prefer a second revision application before the Administrative Tribunal under section 50(2) as is held by the Administrative Tribunal in number of second revision applications preferred before it and dismissed the same at the admission stage itself based on the judgments of the High Court and the Supreme Court.

This Bill seeks to rectify the above deficiency.

Financial Memorandum

No financial implication is envisaged.

Memorandum of Delegation Legislation

No Delegated Legislation is envisaged.

PORVORIM, GOA
27th JULY, 2009.

DAYANAND G. NARVEKAR
MLA

PORVORIM-GOA.
27th JULY, 2009.

J. N. BRAGANZA
SECRETARY

(Annexure to Bill No.13 of 2009)

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49. Appeals. - (1) From every order ²[including an order passed under chapter II-A] other than an interim order passed by the Mamlatdar ³[or The Tribunal] under this Act, an appeal shall lie to the Collector and the orders of the Collector on such appeal shall be final, subject to revision, if any, by ⁴[the Administrative Tribunal.]

5[...]

(2) From every original order other than an interim order ⁶[...] passed by the Collector ⁷[...] and appeal shall lie to the 3 Administrative Tribunal and the orders of ⁸[Administrative Tribunal] on such appeal shall be final.*

PORVORIM-GOA.
27th JULY, 2009.

J. N. BRAGANZA
SECRETARY