

The Goa Industrial Development (Amendment) Bill, 2015

(Bill No. 23 of 2015)

A

BILL

further to amend the Goa Industrial Development Act, 1965 (Act 22 of 1965) .

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

1. Short title and commencement. – (1) This Act may be called the Goa Industrial Development (Amendment) Act, 2015.

(2) It shall come into force at once.

2. Amendment of Section 33:- In section 33 of the Goa Industrial Development Act, 1965 (Act 22 of 1965) (hereinafter referred to as the “principal Act”),-

(i) in sub-section(1) for the words “ten thousand” and “five hundred”, the words “ one lakh” and “five thousand” shall be respectively substituted.

(ii) in sub section (2) , for the words “five thousand”, the words “fifty thousand” shall be substituted.

3. Amendment of Section 37B. - In Section 37B of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:-

“ (1) Notwithstanding anything to the contrary contained in any other law for the time being in force, once a notification is issued under sub-section (1) of section 37A declaring an industrial area as a notified area, the State Government may by notification in the Official Gazette, appoint a Committee consisting of - (i)the Managing Director of the Corporation ----Chairperson; (ii)Under Secretary (Revenue) to the Government of Goa ----Member; (iii) One member nominated by the Corporation from amongst the Directors of the Corporation having

knowledge in the field of engineering, architecture, industry, etc.----
Member; (iv)an officer not below the rank of Deputy Town Planner to
be nominated by the Government ----Member Secretary;(v) Chief
General Manager (Engineering)/ General Manager (Engineering) of the
Goa Industrial Development Corporation ----Member, (vi) an officer to
be nominated by the Government ----Member; to decide and dispose of
all applications for land development, permissions, under all local or
special laws including Goa, Daman and Diu Town and Country Planning
Act, 1974 (Act 21 of 1975) and rules framed thereunder (hereinafter in
this section referred to as the “said Act”).

Statement of Object and Reasons

The Bill seeks to amend sub-section (1) and (2) of section 33 of the Goa Industrial Development Act, 1965 (Act 22 of 1965) (hereinafter referred to as the “said Act”) so as to enhance the penalty as specified therein. In order to facilitate the Industrial Entrepreneurs to obtain necessary construction permission expeditiously and to remove the difficulties faced due to the existing provisions of section 37 B sub-section (1) of the said Act, the said sub-section (1) is proposed to be amended suitably.

The Bill seeks to achieve the above objects.

Financial Memorandum

There are no financial implications involved in the Bill.

Memorandum Regarding Delegated Legislation.

No delegated legislation is envisaged in this Bill.

Porvorim- Goa
10th August, 2015.

Mahadev Naik
Minister for Industries

Assembly Hall,
Porvorim-Goa
10th August, 2015.

Nilkanth Subhedar
Secretary to the Legislative
Assembly of Goa.

ANNEXURE

Extract of section 33 (1), (2) and 37B (1) of Goa Industrial Development Act, 1965 (Act 22 of 1965)

33. Penalty for construction or use of land and buildings contrary, to terms of holding.-(1) Any person who whether at his own instance or at the instance of any other person undertakes or carries out construction of or alterations to any building in an industrial area contrary to the terms under which he holds such building or land under this Act or any rules made thereunder shall, on conviction be punished with fine which may extend to ten thousand rupees, and in the case of a continuing contravention with a further fine which may extend to five hundred rupees for every day during which such offence continues after conviction for the first commission of the offence.

(2) Any person who uses any land or building in an industrial estate or industrial area contrary to the terms under which he holds such land or building under this Act or any rules made thereunder or in contravention of the provisions of any regulations made in this behalf shall, on conviction, be punished with fine which may extend to five thousand rupees.

“37B. Development of areas. - (1) Notwithstanding anything to the contrary contained in any other law for the time being in force, once a notification is issued under sub-section (1) of section 37A declaring an industrial area as a notified area the State Government, may, by notification in the Official Gazette, appoint a Committee consisting of - (i) the Managing Director of the Corporation ---- Chairperson; (ii) Under Secretary (Revenue) to the Government of Goa ---- Member; (iii) One member nominated by the Corporation from amongst the Directors of the Corporation having knowledge in the field of engineering, architecture, industry, etc. ---- Member; (iv) Deputy Town Planner in the Town and Country Planning Department to be nominated by the Government ---- Member Secretary; to decide and dispose of all applications for land development, permissions, No Objection Certificate, construction of building under all local or special laws including Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) and rules framed thereunder (hereinafter in this section referred to as the “said Act”).

Assembly Hall,
Porvorim-Goa
10th August, 2015.

Nilkanth Subhedar
Secretary to the Legislative
Assembly of Goa.