

The Goa Regularisation of Unauthorized Construction (Amendment) Bill,
2018

(Bill No. 15 of 2018)

A

BILL

further to amend the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016).

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

1. Short title and commencement.- (1) This Act may be called the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2018.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 3.- In section 3 of the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016) (hereinafter referred to as the “principal Act”), in sub-section (1), the following proviso shall be inserted, namely:-

“Provided that the person who could not make application within above period may make such application within a period of thirty days from the date of coming into force of the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2018.”.

3. Repeal and Saving.- (1) The Goa Regularisation of Unauthorized Construction (Amendment) Ordinance, 2018 (Ordinance No.1 of 2018) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act at that relevant time.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to enhance the time limit for filing of the applications for regularization of unauthorized construction.

The Bill also seeks to repeal the Goa Regularisation of Unauthorized Construction (Amendment) Ordinance, 2018 (Ordinance No.1 of 2018) promulgated by the Governor of Goa on the 15th day of June, 2018.

This Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1(2) of the Bill empowers the Government to issue notification to appoint date for bringing the Act into force.

**Assembly Hall,
Porvorim, Goa.
30th July 2018**

**(Rohan A. Khaunte)
Minister for Revenue**

**Assembly Hall,
Porvorim, Goa.
30th July 2018**

**(Nilkanth Subhedar)
Secretary to the Legislative
Assembly of Goa**

ANNEXURE

EXTRACT OF SUB-SECTION (1) OF SECTION 3 OF THE GOA
REGULARISATION OF UNAUTHORIZED CONSTRUCTION ACT, 2016
(GOA ACT 20 OF 2016).

3. Regularisation of unauthorized construction.- (1) Any person who has carried out unauthorized construction in the property specified herein below before the 28th day of February, 2014, may make an application in Form I hereto together with application fee in the form of Court fee stamp of rupees five, documents specified in Schedule I hereto, sketch of the structure proposed to be regularised alongwith dimensions to the officer as may be authorised by the Government by Notification in the Official Gazette, not below the rank of Junior Scale Officer of Goa Civil Service, for regularisation of such unauthorised construction, within a period of 180 days from the date of coming into force of this Act:

- (a) any residential, commercial or residential cum commercial unauthorised construction in applicants own property or by the applicant who is co-owner, with written consent of all other co-owners thereto, in a property jointly held by the applicant with such co-owners.
- (b) any unauthorized construction of a dwelling house by the applicant who is declared/registered as mundkar under the provisions of the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act No. 1 of 1976) or a farm house constructed by the applicant who is tenant or owner of an agricultural land.
- (c) any unauthorized construction by the applicant in undivided property jointly held by a unit of family or families, with written consent of all other members of the family/ families.
- (d) any unauthorized construction carried out by an institution or a person other than an individual in its property.
- (e) any unauthorized construction carried out by the applicant, in a property wholly owned by another person with the consent of such person.