



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**THE GOA LEGISLATIVE DIPLOMA NO.
2070 DATED 15-4-1961 (AMENDMENT)
BILL, 2023**

(Bill No. 17 of 2023)

(To be introduced in the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT,
ASSEMBLY HALL, PORVORIM, GOA
MARCH, 2023**

**The Goa Legislative Diploma No. 2070
dated 15-4-1961 (Amendment) Bill, 2023**

(Bill No. 17 of 2023)

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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 Seventy-fourth 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, 2023.

(2) It shall come into force at once.

15 **2. Amendment of article 39.**— In article 39 of
the Legislative Diploma No. 2070 dated 15-4-1961
(herein after referred to as the "Principal Code"),
for the words "Prescribed in this Code," the words
"Prescribed in this Code and rules framed
thereunder" shall be substituted.

20 **3. Amendment of article 50.**— For article 50 of
the Principal Code, the following article shall be
substituted, namely:-

"Art. 50 - An outgoing member of the managing
committee of the comunidade shall be eligible for
re-election."

25 **4. Amendment of article 70.**— In article 70 of
the Principal Code,—

(i) in clause (i), the following proviso shall be
inserted namely: -

"Provided that during the pendency of such inquiry, the Government may if it is found expedient, suspend such committee and appoint an Officer of the Government to take charge of the affairs of such Comunidade till the completion of such inquiry."; 5

(ii) in clause 3, for the expression "and shall pay the fine of Rs. 50/-", the expression "and each such member shall pay the fine of Rs. 10,000/- (Rupees ten thousand only)" shall be substituted. 10

5. Amendment of article 327.— In article 327 of the Principal Code, for the expression "5 meters", the words "ten meters", shall be substituted. 15

6. Amendment of article 334-A.— In article 334-A of the Principal Code,-

(i) in clause (vii), for the words "Landless Jonoeiros", the words "Landless Jonoeiro of the concerned Comunidade" shall be substituted; 20

(ii) in the seventh proviso, for the expression "Rs. 3,50,000/-" the expression "Rs. 15,00,000/-" shall be substituted;

(iii) in the Explanation 1, after the words "owns a plot of land or house", expression "or an undivided share in ancestral property which, on the date of making application for grant of land, has been separately allotted share either in family partition or Settlement or allotted through Court proceedings or otherwise" shall be inserted. 25 30

(iv) after Explanation 2, the following explanation shall be inserted, namely:—

5 **"Explanation 3.**— An applicant falling under clause (vii) above shall support his application by a certificate issued by the concerned Comunidade duly countersigned/attested by the Administrator of the concerned zone certifying that he is a jonoeiro of such Comunidade".

10 **7. Insertion of new article 334-C:- After article 334-B of the Principal Code,** the following article shall be inserted, namely:-

15 **"Art. 334-C**— Notwithstanding anything contained in this Code, the Government may with the prior consent of the concerned Comunidade, grant land by way of long lease for any public purpose, for such period and on such terms and conditions as it may deem fit, to any Government Department, Government undertaking, or statutory body constituted by Government.

20 **8. Insertion of new articles.— After article 339 of the Principal Code,** the following articles shall be inserted, namely:—

25 **Art. 339-A** The Comunidade may entrust the work of development of land, to any private agency, by public auction and/or by inviting bids subject to the approval of the Government so that it can grant sub-divided plots of land as per the provisions of this Code.

Article 339-B "The immovable properties belonging to and vesting in the Administrator of Comunidades in the North, Central and South Zones shall be considered as deemed to be covered by the provisions of the Goa Public Premises (**Eviction of Unauthorised Occupants**) **Act, 1988** (Goa Act No. 22 of 1988) and shall be considered as public premises within the said Act for the purposes of the said Act".

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend the Legislative Diploma No. 2070 dated 15-4-1961 so as to streamline the process of election of the members of the Managing Committee of the Comunidade, provide for development of land by private agency and this Bill seeks to achieve the above objects to effectively regulate the process of grant of land by the Comunidades.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is envisaged in this Bill.

Porvorim, Goa
28th March, 2023

(Atanasio Monserrate)
Minister for Revenue

Assembly Hall,
Porvorim, Goa

(Namrata Ulman)
Secretary to the Legislative
Assembly