



LEGISLATIVE ASSEMBLY
OF
GOA, DAMAN AND DIU

The Goa, Daman and Diu
Agricultural Tenancy (Amendment)
Bill, 1973

(Bill No. 4 of 1973)

(By Shri R. S. Fernandes, M.L.A.)

(To be introduced in the Legislative Assembly
of Goa, Daman and Diu)

GOA, DAMAN AND DIU LEGISLATURE DEPARTMENT
ASSEMBLY HALL, PANAJI
MARCH, 1973

The Goa, Daman and Diu Agricultural Tenancy
(Amendment) Bill 1973

(Bill No. 4 of 1973)

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BILL

to further amend the Goa, Daman and Diu Agricultural Tenancy Act, 1964:

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-fourth Year of the Republic of India as follows: —

1. *Short title and commencement.* — (1) This Act may be called the Goa, Daman and Diu Agricultural Tenancy (Amendment) Act, 1973.

2. It shall come into force at once.

2. *Amendment of section 20.* — For sub-section (3) of section 20 of the Goa, Daman and Diu Agricultural Tenancy, Act, 1964, (7 of 1964), the following sub-section shall be substituted namely: —

“(3) Where the landlord is a minor, or a widow with a life interest or a person serving in the Defence Forces or a person subject to any physical or mental disability or a repatriate from African Continent, Burma or from Ceylon, then, if he has not given a notice and made an application as required by sub-section (2), such notice may be given and such application may made —

(a) by the landlord within one year from the date on which —

(i) in the case of a minor, he attains majority;

(ii) in the case of a person serving in the Defence Forces he ceases to serve in such Forces, and

(iii) in the case of a person subject to physical or mental disability, he ceases to be so subject;

(b) in the case of a widow with a life interest by the successors in title within one year from the date on which the widow's interest in land ceases to exist;

(c) in the case of a repatriate from African Continent, Burma or from Ceylon,

(i) if he has settled in the Union Territory of Goa, Daman and Diu before the commencement of this Amendment Act within one year from the commencement of this Amendment Act, and

(ii) if he arrives in the Union Territory of Goa, Daman and Diu with the intention of settling down, after the commencement of this Amendment Act, within one year from such arrival.

Provided that where land is held by two or more joint holders the provisions of this sub-section shall not apply, if at least one joint holder is outside the categories specified in this sub-section:

Provided further that in cases coming under sub-clause (ii) of clause (a), or clause (c), the provisions of sub-section (4) and (5) shall not apply”.

Statement of Objects and Reasons

Under sub-section (3) of section 20 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964 for certain class of persons are granted a further time limit for applying for resumption of land for personal cultivation. But repatriates from Burma, Ceylon and African continent are deprived of such rights. The Bill proposes to extend such right to repatriates from Burma, Ceylon and African Continent, also in order to provide them with some source of income.

Panaji,
2nd March, 1973.

R. S. FERNANDES
M. L. A.

Panaji,
Assembly Hall,
7th March, 1973.

B. M. MASURKAR
Secretary to the Legislative Assembly
of Goa, Daman and Diu.

(Annexure to Bill No. 4 of 1973)

The Goa, Daman and Diu Agriculture Tenancy (Amendment) Bill, 1973

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The Goa, Daman and Diu Agriculture Tenancy Act, 1964
(Act No. 7 of 1964)

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20(3) Where the landlord is a minor, or a widow with a life interest or a person serving in the Defence Forces or a person subject to any physical or mental disability, then, if he has not given a notice and made an application as required by sub-section (2), such notice may be given and such application may be made —

- (a) by the landlord within one year from the date on which —
 - (i) in the case of a minor, he attains majority;
 - (ii) in the case of a person serving in the Defence Forces, he ceases to serve in such Forces; and
 - (iii) in the case of a person subject to physical or mental disability, he ceases to be so subject; and
- (b) in the case of a widow with a life interest, by the successor in title within one year from the date on which the widow's interest in land ceases to exist;

Provided that where land is held by two or more joint holders, provisions of this sub-section shall not apply, if at least one joint holder is outside the categories specified in this sub-section:

Provided further that in cases coming under sub-clause (ii) of clause (a), the provisions of sub-section (4) and (5) shall not apply.

Assembly Hall,
Panaji,
7th March, 1973.

B. M. MASURKAR
Secretary to the Legislative
Assembly of Goa, Daman
and Diu.