



LEGISLATIVE ASSEMBLY STATE OF GOA

**THE LAND ACQUISITION
(GOA AMENDMENT)
BILL, 2009**

(Bill No. 9 of 2009)

(As passed by the Legislative Assembly State of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM, GOA
MARCH, 2009.**

The Land Acquisition (Goa Amendment)
Bill, 2009

(Bill No. 9 of 2009)

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BILL

*further to amend the Land Acquisition Act, 1894
(Central Act 1 of 1894) as in force in the State
of Goa.*

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

1. Short title and commencement :— (1)
This Act may be called the Land Acquisition (Goa
Amendment) Act, 2009.

(2) It shall be deemed to have come into force
with effect from 15-10-1964.

2. Amendment of Section 41.— In Section 41
of the Land Acquisition Act, 1894 (Central Act 1
of 1894), as in force in the State of Goa, after
clause (5), the following shall be inserted, namely:—

“(6) Notwithstanding anything contained in
any judgement, decree or an order of any Court,
Tribunal or any other authority, any development
done or construction undertaken in pursuance
of the agreement entered under this section
between the Government and the Company on
the basis of the statutory approvals like

permissions granted by the Planning and Development Authority, Eco-Development Council, Goa Coastal Zone Management Authority, Municipal Council, Panchayat, including renewals and deviations thereof approved and regularized, and all permissions obtained by the company and all the buildings constructed by the Company and all the proceedings taken by the competent authorities to issue the licence or permission for undertaking construction, shall be deemed to have been validly done and have always been undertaken in accordance with the said agreement.

(7) Notwithstanding anything contained in any judgement, decree, or order of any Court, Tribunal or any other Authority the appropriate Government shall be at liberty to modify the agreement executed under this section between the Government and the Company on mutually agreed terms in furtherance of the purpose for which the land was acquired, by publication of the modified agreement in the Official Gazette, and any such modifications made in the agreement, shall come into force from the date on which the original agreement with the Company was executed under this section and any action taken or things done under the modified agreement, shall, for all purposes, be deemed and to have always been done or taken in accordance with the original agreement.

(8) Notwithstanding anything contained in any judgment, decree or order of any Court, Tribunal or any other authority, if, in any agreement entered into between the

Government and the Company, there be any clause prohibiting the Company to construct any building or structure in the acquired land, such clause shall be deemed to have been deleted with retrospective effect from 15-10-1964.

(9) No suit or other proceeding shall be instituted, maintained or continued in any Court or before any Tribunal or other authority for cancellation of such permission or for demolition of buildings which were constructed after obtaining the permissions from the Statutory Authorities and have been validated under this section, or for questioning the validity of any action taken or things done or permission granted in pursuance of the original agreement as modified and no Court shall enforce or recognize any decree, judgement or order declaring any such action taken or things done under the original agreement as modified, as invalid or unlawful."

3. Repeal and Saving.— (1) The Land Acquisition (Goa Amendment) Ordinance, 2009 (Ordinance No. 2 of 2009) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "Principal Act") as amended by the Ordinance, namely, Land Acquisition (Goa Amendment) Ordinance, 2009 (Ordinance No. 2

of 2009), shall be deemed to have been done or taken under the principal Act as amended by this Act.