



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Buildings (Lease, Rent
and Eviction) Control
(Amendment) Bill, 2009**

(Bill No. 15 of 2008)

(As passed by the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM-GOA
FEBRUARY, 2009**

**The Goa Buildings (Lease, Rent and
Eviction) Control (Amendment)
Bill, 2009**

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*further to amend the Goa, Daman and Diu
Buildings (Lease, Rent and Eviction) Control
Act, 1968 (Act 2 of 1969).*

BE it enacted by the Legislative Assembly of
the State 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 Goa Buildings (Lease, Rent
and Eviction) Control (Amendment)
Act, 2009.

(2) It shall come into force at once.

2. *Amendment of section 23A.*— In section 23A
of the Goa, Daman and Diu Buildings (Lease, Rent
and Eviction) Control Act, 1968 (Act 2 of 1969),
after sub-section (3A), the following sub-section
shall be inserted, namely:—

“(3B) (a) Notwithstanding anything contained
in this Act, a Non-resident Indian, on an
application made in this behalf to the Controller,
shall be entitled to recover possession of any
premises on the grounds that the premises are
bonafide required by him for occupation by
himself or any member of his family.

Provided that the Non-Resident Indian had become the owner of such premise prior to the creation of the tenancy in respect of the said premise, except where the non-resident Indian had acquired ownership by inheritance.

(b) Where a Non-resident Indian recovers possession of a premise under above section, he or she shall not transfer it through sale or any other means or let it out before the expiry of a period of three years from the date of taking possession of the premise, failing which, the evicted tenant may apply to the Controller for an order that he or she be restored the possession of the said premise and the Controller shall make an order accordingly.

(c) The controller shall pass an Order for eviction of tenant on an application by a Non-resident Indian under clause (a) above supported by a certificate from the concerned District Magistrate that he is a Non-resident Indian and is now willing to reside in the State of Goa. The District Magistrate shall issue such certificate on an affidavit sworn by Non-resident Indian before the Competent Authority to the effect that he does not possess any other suitable residence in the local area where he or member of his family can reside.

(d) Every application filed before the Controller under clause (a) above shall be dealt with in accordance with the procedure specified in sub-section (3A) and the provisions thereof in so far as they are applicable, shall apply to such proceedings.

Explanation:- For the purposes of this sub-section, "Non-resident Indian" means a person residing outside India, who is either a citizen of India or is a person of Indian origin".