

Goa (Allotment of Plots to Certain Displaced Persons) Act, 2016

GOA

India

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Act 25 of 2016

- Published on 27 September 2016
- Commenced on 27 September 2016
- [This is the version of this document from 27 September 2016.]
- [Note: The original publication document is not available and this content could not be verified.]

Goa (Allotment of Plots to Certain Displaced Persons) Act, 2016(Goa Act 25 of 2016)Last Updated 9th March, 2020[Dated 27.9.2016]An Act Whereas the then Government of Goa, Daman and Diu vide Order No. ES/1/64 dated 14-01-1964 requisitioned land ad-measuring 35690.75 square metres in terms of section 29 of the Defence of India Act, 1962 (Central Act 51 of 1962);And Whereas the Government sub-divided the said land and allotted plots to certain persons who were displaced due to acquisition of land for establishment of 2STC (3 Military Training Regiment) at Salcete, Goa;And Whereas the Government has now decided to vest proprietary rights of the said plots unto the said displaced persons.Be it enacted by the Legislative Assembly of Goa in the Sixty-seventh Year of the Republic of India, as follows:-

1. Short title and commencement.

(1)This Act may be called the Goa (Allotment of Plots to Certain Displaced Persons) Act, 2016.(2)It shall be deemed to have come into force on the 20th day of January, 1964.

2. Definition.

- In this Act, unless the context otherwise requires, -(a)"displaced persons" means the persons who were displaced due to acquisition of land for establishment of 2STC (3 Military Training Regiment) in Salcete, Goa;(b)"Government" means the Government of Goa;(c)"State" means the State of Goa;(d)"said land" means land requisitioned vide Order No. ES/1/64 dated 14-01-1964;(e)"said Act" means the Defence of India Act, 1962 (Central Act 51 of 1962).

3. Vesting of land in the Government.

(1)Notwithstanding anything contained in any other law, judgment, order or decree of any court, tribunal or any other authority, from the date of commencement of this Act, said land more particularly described in Schedule I hereto shall be deemed to have been vested with the Government, free from all claims, charges, encumbrances, liens, etc.(2)[The Government shall pay to the owner of the said land within a period of 270 days from the date of enacting this Act, compensation as per the market value of such land as prevailing on the date of making requisition for the said land under the said Act.] [Sub-section (2) substituted vide Act 5 of 2017 published in the Official Gazette Series-I No. 9 (Extraordinary) dated 02-06-2017.]

4. Allotment of land to the displaced persons.

- The displaced persons specified in Schedule II hereto shall be deemed to have been allotted the area of the said land as specified in the corresponding entry in column (2) of the said Schedule.

5. Act to have overriding effect.

- Notwithstanding anything contained in any other law, judgement, decree or order of any court, tribunal or any other authority,-(a)the land as specified in Schedule I hereto shall, from the date of commencement of this Act, stand vested with the Government.(b)no suit or other legal proceedings shall be instituted, maintained or continued in any court, tribunal or any other authority against the Government or any person or authority whatsoever in respect of said land and all pending suits, applications, etc. filed under any local or special law shall stand abated forthwith.(c)no Courts shall enforce any Decree or Order or Injunction or Stay on any ground whatsoever.

6. Protection of action taken in good faith.

- No suit, prosecution or other legal proceeding shall lie against the Government or any officer or authority for anything which has been done or intended to be done in good faith under this Act.

7. Power to remove difficulties.

- If any difficulty arises in giving effect to the provisions to this Act, the Government may, by Order published in the Official Gazette, make such provisions consistent with the provisions to this Act, as appear to it to be necessary or expedient for the removal of difficulty; and the Order of the Government in such cases shall be final:Provided that no such Order shall be made after the expiry of two years from the date of this Act.