

The Goa, Daman and Diu Land Revenue (Restrictions on Use of Land) Rules, 1969

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Rule

THE-GOA-DAMAN-AND-DIU-LAND-REVENUE-RESTRICTIONS-ON-USE of 1969

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The Goa, Daman and Diu Land Revenue (Restrictions on Use of Land) Rules, 1969Published vide Notification No. RD/LRC/245/69-71/8, dated 16th February, 1971RD/LRC/245/69-71/VIII. - In exercise of the powers conferred by sub-section (2) of Section 199 of the Land Revenue Code, 1968 (9 of 1969) and all other powers enabling him in that behalf the Lieutenant Governor of Goa, Daman and Diu is hereby pleased to make the following rules;

1. Short title and commencement.

(1)These rules may be called the Goa, Daman and Diu Land Revenue (Restrictions on Use of Land) Rules, 1969.(2)They shall come into force at once.

2. Classes of unarable land for cultivation; regulation and prohibition of such land for cultivation.

(1)Land included as unarable (pot kharab) in a survey number for purposes of agriculture only is of two kinds.(a)that which is classed as unfit for agriculture at the time of survey including the farm buildings or threshing floors of the holder;(b)that which is not assessed because it is reserved or assigned for public purposes, or because it is occupied by a road or recognised footpath, or by a tank or stream used by persons other than the holder for irrigation or for drinking or domestic purposes, or used for a burial or burning ground by any community, or by the public, or because it is assigned for village potteries.(2)Land falling in class (a) may be brought under cultivation at any time by the holder, and no additional assessment shall be charged therefor.(3)The cultivation of land falling in

clause (b) is hereby prohibited under Section 31: Provided that, this prohibition shall not apply in the case of land occupied by a tank or stream, when such tank or stream is used for irrigation only, and waters only land which is in the sole occupation of the holder, or when the privilege of cultivating the dry bed of the tank or stream has been specially conceded to the holder.

3. Restriction on use of land for salt manufacture.

(1) No occupant of unalienated land, whether assessed for any purpose or not shall use the same or any part thereof for the manufacture of salt without the previous permission in writing of the Collector of the district. (2) Subject to the provisions of any law relating to manufacture or collection or extraction of salt for the time being in force, the Collector may grant permission for the use of such land for such purpose subject to the payment of non-agricultural assessment leviable on the land, and to such further conditions as the Collector may, subject to the general or special orders of the Government, impose.

4. Excavations of agricultural land prohibited.

- Save as provided in sections 29 and 30 and rule 3, no occupant of land assessed or held for purposes of agriculture only, and no person claiming under or acting by authority of any such occupant, shall excavate or remove earth, stone (other than loose surface stones), kankar, muram, or any other material of the soil thereof, or make any other use of land (a) so as, in the opinion of the Collector, thereby to destroy or materially injure the land for cultivation, or (b) for purposes of trade, or profit, or any other purpose except his own domestic or agricultural purposes.

5. Excavations in building site not allowed without permission.

- No holder of land assessed or held as a building site, or lease-hold of a building site in a hill station, and no person claiming under any such holder or lease holder, shall, subject to any special provision in the conditions annexed to his holding under Section 21 or 35 or otherwise, or prescribed by his lease, excavate or remove for any purpose whatever earth, stone (other than loose surface stones) kankar, muram or any other material of the soil thereof, except with the previous permission in writing of the Collector, and in accordance with such terms (including the payment of fees for any such excavation or removal) as the Collector in each case thinks fit to prescribe, regard being had to the provisions of rules made under Mines and Minerals (Regulation and Development) Act, 1957, for the time being in force in any part of the Union territory of Goa, Daman and Diu.

6. Excavation in gaothans require permission.

(1) No unalienated land within the site of any village, town or city shall be excavated without the previous written permission of the Collector for any purpose except for the laying of foundations for buildings, the sinking of wells and the making of grain-pits. (2) Where permission is granted by the Collector to excavate any such lands as aforesaid for any purpose other than those mentioned above, such excavations shall not be made otherwise than in accordance with such terms (including the

payment of fees for any such excavation) as the Collector in each case thinks fit to prescribe, regard being had to the provisions of any rules made under Mines and Minerals (Regulation and Development) Act, 1957, for the time being in force in any part of the Union territory of Goa, Daman and Diu.

7. Penalty for breach of rules.

- Any person committing a breach of any of the provisions of these rules shall in addition to any other consequences that would ensue from such breach, be punishable with such fine not exceeding one thousand rupees as the Collector may, after giving such person an opportunity to be heard, deem fit to impose.