

Goa Agricultural Tenancy (Amendment) Act, 2015

[01 September 2015]

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Goa Agricultural Tenancy (Amendment) Act, 2015

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Goa Act 11 of 2015

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further to amend the Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Act 7 of 1964).

Be it enacted by the Legislative Assembly of Goa in the Sixty-sixth Year of the Republic of India, as follows:-

1. Short title and commencement :-

(1) This Act may be called the Goa Agricultural Tenancy (Amendment) Act, 2015.

(2) It shall come into force at once.

2. Amendment of section 2 :-

In section 2 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964 (Act 7 of 1964) (hereinafter referred to as the "principal Act"), in clause (23), the expression "but shall not include a person, who is cultivating, or undertaking and carrying out agricultural operations upon a land by an agreement referred to in sub-section (1) of section 4A of this Act;" shall be omitted.

3. Omission of section 4A :-

Section 4A of the principal Act shall be omitted.

4. Omission of section 60C :-

Section 60C of the principal Act shall be omitted.

5. Insertion of new section of 60E :-

After section 60D of the principal Act, the following new section shall be inserted, namely:-

"60E. Regarding duties, functions and powers of Mamlatdar.-

Notwithstanding anything contained in this Act, including clause (15) of section 2, the Mamlatdar shall be deemed to have validly performed the duties and functions and exercised the powers of the Mamlatdar, before the date of commencement of the Goa Agricultural Tenancy (Amendment) Act, 2015, as if such powers were vested in him at all material times under this Act."

6. Insertion of new section 61A :-

After section 61 of the Principal Act, the following new section shall be inserted, namely:- "61A. Validation of notices, proceedings, orders, etc., of the Mamlatdar.-

(1) Notwithstanding anything contained in this Act or in any judgment, decree or order of any Court or Tribunal or any other authority to the contrary, all notices given inquiries held, proceedings conducted, disputes decided, orders passed and all actions taken or done by any Mamlatdar, purporting to act as the Mamlatdar under this Act, before the commencement of the Goa Agricultural Tenancy (Amendment) Act, 2015 shall, for all purposes, be deemed to be and to have always been validly given, held, conducted, decided, passed, taken or done, as the case may be, in accordance with the provisions of this Act.

(2) No suit or other legal proceedings shall lie or be maintained or continued in any Court or any Tribunal or any other authority for challenging or questioning the validity of any notice given, inquiry held, proceeding conducted, dispute decided order passed or action taken by a Mamlatdar under this Act, before the commencement of the Goa Agricultural Tenancy (Amendment) Act, 2015 on the ground that appointment of Mamlatdar was illegal or invalid or irregular by reason of the fact that Mamlatdar was not duly appointed to perform the functions of the Mamlatdar in accordance with the provisions of this Act or on any other ground and no Court or Tribunal or any other authority shall enforce or recognise any decree, judgment or order passed declaring any such action taken

or things done as invalid or unlawful".