

Goa Highways (Amendment) Act, 2012

15 of 2012

[03 September 2012]

CONTENTS

1. Short title and commencement
2. Amendment of section 54A
3. Amendment of section 54B
4. Insertion of new section 54C and 54D

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PREAMBLE

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ACT

further to amend the Goa, Daman and Diu Highways Act, 1974 (Act No. 10 of 1974).

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

1. Short title and commencement :-

(1) This Act may be called the Goa Highways (Amendment) Act, 2012.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 54A :-

In section 54A of the Goa, Daman and Diu Highways Act, 1974 (Act No. 10 of 1974) (hereinafter referred to as the principal Act), in sub-section (1), after the existing proviso, the following proviso shall be inserted, namely:--

"Provided further that the Government may by notification and subject to such restrictions and conditions as may be specified in

the notification, exempt either totally, or partially any motor vehicle or motor vehicles or any class of motor vehicles, from the payment of fees.

3. Amendment of section 54B :-

In section 54B of the principal Act, in sub-section (1) after the existing proviso, the following proviso shall be inserted, namely:--

"Provided further that the Government may by notification and subject to such restrictions and conditions as may be specified in the notification, exempt either totally or partially, any motor vehicle or motor vehicles, or any class of motor vehicles, from the payment of fees".

4. Insertion of new section 54C and 54D :-

After section 54B of the principal Act, the following sections shall be inserted, namely:--

"54C. Entry to bridges, State highways, etc., without paying fee.--
Whoever enters a bridge or State highway or major district road or village road without paying the fee shall, on conviction, be punished,--

(a) for the first offence with a fine which may extend to one thousand rupees.

(b) for a subsequent offence with a fine which may extend to five thousand rupees.

54D. Power of the Government to enter into agreement for development and maintenance of Highways and bridges.--

(1) Notwithstanding anything contained in this Act or any other Act for the time being in force, the Government may enter into an agreement with any person in relation to the construction, development and maintenance of the whole or any part of the Highway or a bridge.

(2) To facilitate or secure such construction, development and maintenance, the agreement may, subject to such terms and conditions as may be prescribed, provide for the transfer of any land belonging to or to be acquired by the Government under this Act or any other Act, for the time being in force, to such person or persons by way of lease or otherwise during the period of such agreement.

(3) Notwithstanding anything contained in sections 54A and 54B and rules framed thereunder the person referred to in sub-section (1) shall be entitled to collect and retain fee at such rate of rates,

for the service or benefits rendered by him as the Government may by notification in the Official Gazette specify having regard to the expenditure involved for acquisition of land and construction, development and maintenance of bridges or Highway.

(4) A person referred to in sub-section (1) shall have powers to regulate and control the traffic in accordance with the provisions contained in Chapter VIII of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) on the Highway or a bridge forming subject matter of such agreement, for proper management thereof".