

**The Goa Irrigation (Amendment)
Bill, 2022**

(Bill No. 20 of 2022)

A

BILL

*further to amend the Goa Irrigation Act, 1973
(Act 18 of 1973).*

5 Be it enacted by the Legislative Assembly of
Goa, in the Seventy Third year of the Republic of
India as follows:-

1. Short title, extent and commencement.—

10 “ (1) This Act may be called the Goa Irrigation
(Amendment) Act, 2022.

(2) It extends to the whole of the State of Goa.

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

15 **2. Amendment of section 84** — In the Goa
Irrigation Act, 1973 (Act 18 of 1973), (herein after
referred to as the “Principal Act”), in Section
84:-

20 For clause (xii), the following clause may be
substituted, namely:-

25 “(xii), Contravenes any rule made under this
Act, the contravention whereof is declared in
the rule to be an offence punishable under
this section. Shall on conviction be punished
for the offences under the clauses (vi), (ix) and

(x) with fine which may extend to five thousand rupees and for offences under any other clause with fine which may extend to one thousand rupees:

Provided that for a second or subsequent offence under clause (vii) or clause (viii) , such fine shall not be less than one thousand rupees, and under other clause, such fine shall not be less than ten thousand rupees: 5

Provided further that in the case of continuing offence, a daily fine not exceeding five hundred rupees for every day during the period of the continuance of the offence shall also be imposed". 10

STATEMENT OF OBJECTS AND REASONS

Clause 2 of the Bill seeks to amend Clause (xii) of Section 84 of the Goa Irrigation Act, 1973 (hereinafter referred to as the “said Act”) by modifying the Clause so as to decriminalize the Act by removing the word ‘imprisonment’ and increasing the penalty amounts.

This bill seeks to achieve the above objects

FINANCIAL MEMORANDUM

The proposed the Goa Irrigation (Amendment) Bill, 2022 does not involve any recurring or non-recurring expenditure from the Consolidated Fund of the State.

**MEMORANDUM REGARDING DELEGATED
LEGISLATION**

Clause 2 of the Bill seeks to amend Clause (xii) of Section 84 of the Goa Irrigation Act, 1973 (hereinafter referred to as the “said Act”) by modifying the Clause so as to decriminalize the Act by removing the word ‘imprisonment’ and increasing the penalty amounts.

These delegations are of normal character.

Assembly Hall,
Porvorim, Goa
/07/2022.

Shri Subhash Shirodkar
Hon. Minister for
Water Resources

Assembly Hall,
Porvorim, Goa
/07/2022.

Smt. Namrata Ulman
Secretary to Legislative
Assembly of Goa

**EXTRACTS OF SECTION 84 OF THE GOA
IRRIGATION ACT, 1973**

84. Offences under the Act.—

Whoever voluntarily and without proper authority,—

- (i) damages, alters, enlarges or obstructs any canal;
- (ii) interferes with, increases or diminishes the supply of water in, or the flow of water from, through, over or under any canal, or by means raises or lowers the level of the water in any canal;
- (iii) opens, shuts or obstructs or attempts to open, shut or obstruct any sluice or outlet or any other similar contrivance in any canal;
- (iv) corrupts or fouls the water of any canal so as to render it less fit for the purposes for which it is ordinarily used;
- (v) destroys, defaces or moves any land mark or level mark or water gauge fixed under the authority of a public servant;
- (vi) destroys, tampers with or removes any apparatus, or part of any apparatus for controlling, regulating or measuring the flow of water in any canal;
- (vii) causes any animal or vehicle to pass on or across any of the works, banks or canals or channels of a canal contrary to the rules made under this Act after he has been required to desist there from;
- (viii) causes or knowingly or willfully permits cattle to graze upon any canal or flood embankment, or causes, or knowingly and willfully permits cattle

to be tethered upon any such canal or embankment or roots up any grass or other vegetation growing on any such canal or embankment or removes, cuts or in any way injures, or causes to be removed, cut or otherwise injures any tree, bush, grass or hedge intended for protection of such canal or embankment;

(ix) puts up a dam across or otherwise obstructs the free course of water the right to which vests in the Government;

(x) being responsible for the maintenance of any water-course, or using the water-course, neglects to take proper precautions necessary for the prevention of waste of the water thereof, or interferes with the authorised distribution of the water there from or uses such water in an unauthorised manner;

(xi) contravenes any provision of this Act;

(xii) contravenes any rule made under this Act, the contravention whereof is declared in the rules to be an offence punishable under this section;

shall, on conviction, be punished for the offences under clauses (vi), (ix) and (x) with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both, and for offences under any other clause, with imprisonment for a term which may extend to two months or with fine which may extend to five hundred rupees or with both:

Provided that for a second or subsequent offence under clause (vii) or clause (viii), such fine shall not be less than fifty rupees, and under other clause, such fine shall not be less than two hundred and fifty rupees:

— 6 —

Provided further that in the case of a continuing offence, a daily fine not exceeding fifty rupees for every day during the period of the continuance of the offence shall also be imposed.

Assembly Hall
Porvorim, Goa
Dated: /07/2022

Shri. Subhash Shirodkar
Hon. Minister for
Water Resources

Assembly Hall
Porvorim, Goa.
Dated: /07/2022.

Smt. Namrata Ulman
Secretary to Legislative
Assembly of Goa

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**Governor's Recommendation under Article
207 of the Constitution of India**

In pursuance of Article 207 of the Constitution of India, I, P. S. Sreedharan Pillai, the Governor of Goa, hereby recommend the introduction and consideration of the Goa Command Area Development (Amendment) Bill, 2022 by the Legislative Assembly of Goa.

RAJ BHAVAN
Dated: /07/2022

P. S. SREEDHARAN PILLAI
Governor of Goa



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**THE GOA IRRIGATION (AMENDMENT)
BILL, 2022**

(Bill No. 20 of 2022)

(To be introduced the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT,
ASSEMBLY HALL, PORVORIM, GOA
JULY, 2022**

