

The Goa Electronic Delivery of Notices
Bill, 2022

(Bill No. 32 of 2022)

A

BILL

to provide for serving of Notices through electronic media and for matters connected therewith or incidental thereto.

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, commencement.*— (1) This Act may be called the Goa Electronic Delivery of Notices 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, appoint.

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(a) “electronic device” means a cell phone, a computer, and any other device that is capable of transmitting, receiving, or recording message, image, sound, data, or other information by electronic means;

(b) “electronic form” means e-mail, e-mail attachments, data submitted on web-based forms or any other communication method that delivers machine readable data or information to lender through an electronic device;

(c) “Government” means the Government of Goa;

(d) “Notice” means any summons, requisition, direction, process, or any other similar mode of communication being used to inform, warn or direct any person under any State law or proceeding but does not include a public notice;

(e) “prescribed” means prescribed by the rules made under this Act;

(f) “public notice” means a proclamation or a publicity by beating of drums and includes a notice which is meant for the public at large;

(g) “State” means the State of Goa.

3. *Service of Notice through electronic system.*— (1) Notwithstanding anything contained in any State law or rules and regulations made thereunder, any notice which is required to be given under such State law or rules and regulations, to any person, may be sent in electronic form, where such person or his authorized representative gives consent in writing for service of notice on him by such mode.

(2) A notice served in electronic form under sub-section (1) shall be deemed to have been duly served when the electronic device used for such notice clearly indicates that such notice is viewed by such person or his authorized representative.

4. *Form of notice.*— A notice referred in section 3 shall be given in the same form as specified in the State law or rules and regulations framed thereunder.

5. *Unique identification of notice.*— Any notice served as per the provisions of this Act shall be uniquely identified in such manner as may be prescribed.

6. *Power to make Rules.*— The Government may, by notification in the Official Gazette, make rules not inconsistent with the provisions of this Act for the purpose of carrying into effect the provisions of this Act.

Statement of Objects and Reasons

Presently, use of electronic medium for transmission of communication was found most ideal as compared to the traditional in – person or portal delivery mechanism. It also assists in reduction of paper usage.