

Panaji, 2nd August, 2018 (Sravana 11, 1940)

SERIES I No. 18

# OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

## NOTE

There are two Extraordinary issues to the Official Gazette, Series I No. 17 dated 26-7-2018 as namely:-

(1) Extraordinary dated 26-7-2018 from pages 983 to 998 from Department of Finance (Revenue & Control Division), Notifications regarding amendment of GST Act, 2017.

(2) Extraordinary (No. 2) dated 31-7-2018 from pages 999 to 1000 from Department of Power, Office of the Chief Electrical Engineer Not. No. 120/03/JERC-FPPCA/CEE/Tech regarding FPPCA for 1st Quarters of FY 2018-19.

## INDEX

Department	Notification/Bill	Subject	Pages
1. Animal Husbandry and Veterinary Services Dir. & ex officio Jt. Secy.	Not.- 13-91/Kamd/(S)/2018-19/2782	Amendment of Kamdhenu Scheme (Sudharit).	1001
2.a. Goa Legislature Secretariat	Bill.- LA/LEGN/2018/1020	The Goa Town and Country Planning (Amendment) Bill, 2018.	1002
b. —do—	LA/LEGN/2018/1024	The Goa State Higher Education Council Bill, 2018.	1011
c. —do—	LA/LEGN/2018/1025	The Goa Lokayukta (Amendment) Bill, 2018.	1018
d. —do—	LA/Legn/2018/1063	The Goa State Commission for Backward Classes (Amendment) Bill, 2018.	1019
e. —do—	LA/LEGN/2018/1080	The Goa Land Revenue Code (Amendment) Bill, 2018.	1020
f. —do—	LA/LEGN/2018/1081	The Goa Regularisation of Unauthorized Constuction (Amendment) Bill, 2018.	1022
g. —do—	LA/LEGN/2018/1082	The Goa (Mopa Airport Development Authority) Bill, 2018.	1024
3. Industries Under Secretary	Not.- 1/18/2017-IND/268	Capital Subsidy Scheme, 2017.	1028
4.a. Personnel Additional Secretary	Not.- 1/15/85-PER	RR.— Directorate of Tourism.	1030
b. —do—	Not.- 1/7/2014-PER	RR.— Directorate of the Institute of Psychiatry and Human Behaviour.	1032

## GOVERNMENT OF GOA

Department of Animal Husbandry and Veterinary Services

Directorate of Animal Husbandry & Veterinary Services

## Notification

13-91/Kamd/(S)/2018-19/2782

Read:(1) Kamdhenu Scheme (Sudharit) notified vide Notification No. 13-91/

/Kamd/(S)/2012-13/4109 dated 05-11-2012 published in Official Gazette, Series I No. 33 dated 15-11-2012.

(2) Kamdhenu Scheme (Sudharit) amended vide Notification No. 13-91/Kamd/(S)/2015-16/1563 dated 19-06-2015 published in Official Gazette, Series I No. 13 dated 25-06-2015.

- (3) Kamdhenu Scheme (Sudharit) amended vide Notification No. 13-91/Kamd/(S)/2015-16/3341 dated 02-09-2015 published in Official Gazette, Series I No. 24 dated 10-09-2015.
- (4) Kamdhenu Scheme (Sudharit) amended vide Notification No. 13-91/Kamd/(S)/2015-16/3539 dated 23-09-2015 published in Official Gazette, Series I No. 27 dated 01-10-2015.
- (5) Kamdhenu Scheme (Sudharit) amended vide Notification No. 13-91/Kamd/(S)/2016-17/2592 dated 05-08-2016 published in Official Gazette, Series I No. 19 dated 01-10-2015 and
- (6) Kamdhenu Scheme (Sudharit) amended vide Notification No. 13-91/Kamd/(S)/2016-17/3405 dated 16-09-2016 published in Official Gazette, Series I No. 25 dated 22-09-2016.
- (7) Kamdhenu Scheme (Sudharit) amended vide Notification No. 13-91/Kamd/(S)/2018-19/121 dated 06-04-2018 published in Official Gazette, Series I No. 3 dated 19-04-2018.

### Kamdhenu Scheme (Sudharit) Amended

The Government of Goa is hereby pleased to amend the scheme “Kamdhenu Scheme (Sudharit)”, notified vide Notification read at Sr. No. 1 above, and further amended vide Notification read at Sr. Nos. 2, 3, 4, 5, 6 and 7 above as follows:—

In the said scheme Clause 15, of the Notification No. 13-91/Kamd/(S)/2018-19/121 dated 06-04-2018 shall be read as “Animals purchased under the Scheme should be insured for minimum period of a 3½ years under the Comprehensive Insurance Policy with such Insurance Agency/company as the Department may from time to time notify (approved by the Government). It shall be the sole responsibility of the beneficiary to insure the animals immediately on purchase. The Government shall not be responsible in the event of the death of the animal or otherwise. The respective Financing Institution shall be responsible for the tie up arrangement of insurance cover between the beneficiary and the insurance Company. The premium towards insurance including transit insurance should be initially borne by the beneficiaries/financing institution, the Department shall reimburse the premium amount to a maximum of Rs. 14,455/- (Rupees fourteen thousand four hundred fifty five only) per animal directly to the financing institution, together with the subsidy amount on receipt of all the required documents in order”.

By order and in the name of the Governor of Goa.

Dr. Santosh V. Desai, Director & ex officio Jt. Secretary (AH).

Panaji, 26th July, 2018.



### Goa Legislature Secretariat

LA/LEGN/2018/1020

The following bill which was introduced in the Legislative Assembly of the State of Goa on 25th July, 2018 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Town and Country Planning  
(Amendment) Bill, 2018

(Bill No. 10 of 2018)

A

BILL

*further to amend the Goa, Daman and Diu  
Town and Country Planning Act, 1974  
(Act 21 of 1975).*

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

1. *Short title and commencement.*— (1) This Act may be called the Goa Town and Country Planning (Amendment) Act, 2018.

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

2. *Amendment of section 2.*— In section 2 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) (hereinafter referred to as the “principal Act”),—

(i) clause (1) shall be re-numbered as clause (1A) and before clause (1A) as so re-numbered, the following clause shall be inserted, namely:—

“(1) “accommodation reservation” means to accord a permission by the Government to owner of land, that is required for public amenity specified in Development Plan or Regional Plan, by the Planning and Development Authority, municipal corporation, municipal council or village panchayat, as the case may be, to use the potential of such land in the form of built-up space guided by permissible Floor Area Ratio, in addition to the built-up space required for such amenity, in lieu of payment of compensation for such land and such

amenity, transferred in favour of such authority;

(ii) after clause (30), the following clauses shall be inserted, namely:—

“(30A) “transferable development right” means a right to transfer the potential of a land required for public purpose by the Planning and Development Authority, municipal corporation, municipal council or a village panchayat, as the case may be, expressed in terms of total permissible built-up area, for utilization by the owner himself or transfer by him to someone else, from the present location to a specified area, as additional built-up space over and above the permissible limit in that area in lieu of the payment of compensation for such land;

(30B) “transferable development right for posterity” means the right to sell, transfer or surrender the development right or potential of land zoned as agricultural land or land in other areas such as heritage site, water body, riverine land, farm land, khazan land, private forest, land under Coastal Regulation Zone and the like to alternate sites as identified in the Development Plan or Regional Plan;”.

3. *Amendment of section 11.*— In section 11 of the principal Act, in sub-section (2), after clause (a), the following clause shall be inserted, namely:—

“(aa) proposal for transferable development rights, transferable development right for posterity, accommodation reservation or any other similar technique for promoting planned development;”.

4. *Insertion of new section 16B.*— After section 16A of the principal Act, the following section shall be inserted, namely:—

“16B. *Change of zone in Regional Plan.*—  
(1) If at any time, after the Regional Plan comes into operation, the Chief Town Planner (Planning) receives a written request from any person for change of zone of his land in the Regional Plan, he shall, after carrying out such fresh surveys and examination of the matter as may be considered necessary, submit his report to the Board and the Government, along with plan showing details about change of zone in the Regional Plan.

(2) Every request under sub-section (1) shall be made in such form as may be prescribed and accompanied by such fees as notified under sections 100A and 101A.

(3) The provisions of sections 12 to 15 shall, *mutatis mutandis*, apply for change of zone in the Regional Plan submitted under sub-section (1).

(4) After the Regional Plan comes into operation, the Chief Town Planner (Planning) may, with the prior approval of the Government, make such changes in such Regional Plan as may be necessary for correcting any typographical or cartographical errors, omissions or details of proposals not fully indicated or changes arising out of the implementation of the proposals in the Regional Plan:

Provided that all such changes are in the public interest and are notified to the public.”.

5. *Amendment of section 30.*— In section 30 of the principal Act, in sub-section (1), after clause (d), the following clause shall be inserted, namely:—

“(e) indicate and provide for proposal for transferable development right, transferable development right for posterity, accommodation reservation or any other similar technique for promoting planned development.”.

6. *Amendment of section 32.*— In section 32 of the principal Act, in sub-section (2), after clause (b), the following clause shall be inserted, namely:—

“(c) indicate and provide proposal for transferable development right, transferable development right for posterity, accommodation reservation or any other similar technique for promoting planned development.”.

7. *Insertion of new sections 41A to 41C.*— After section 41 of the principal Act, the following sections shall be inserted, namely:—

“41A. *Acquisition of land by according transferable development right.*— (1) The Planning and Development Authority, municipal corporation, municipal council or a village panchayat may, with approval of the Government and the consent of the owner, acquire his land for public purpose and the Government may accord him a transferable development right, in lieu of the payment of compensation towards such acquisition, by issuing a Development Right Certificate in such form and in such manner as may be prescribed.

(2) The transferable development right could be utilized as additional built up space in such manner as may be prescribed by the owner who may use it himself or transfer it to any other person in full or in part, to use in areas earmarked for the purpose in Regional Plan or Development Plan.

41B. *Acquisition by way of accommodation reservation.*— (1) A Planning and Development Authority, municipal corporation, municipal council or a village panchayat may, with the consent of the owner, get transferred his land and amenity in its favour for public purpose as specified in the Regional Plan or Development Plan, by way of accommodation reservation, in such manner as may be prescribed.

(2) The owner of such land shall develop such amenity and hand it over to the said authority free of cost and thereafter he shall himself utilize the developmental right equivalent to full permissible Floor Area Ratio.

41C. *Preservation of natural reserves and resources for posterity.*— A Planning and

Development Authority, municipal corporation, municipal council or a village panchayat may with approval of the Government and the consent of the owner, withdraw or sever the development right or potential in respect of land identified for conservation or preservation in the Regional Plan or Development Plan and the Government may allot the development right, thus removed, or severed to other area which is more suitable for development by way of transferable development right for posterity in such manner as may be prescribed.”.

8. *Amendment of section 140.*— In section 140 of the principal Act, in sub-section (2),—

(i) after clause (d), the following clause shall be inserted, namely:—

“(dd) form for making request under sub-section (1) of section 16B;”;

(ii) after clause (e), the following clauses shall be inserted, namely:—

“(ea) the form and manner in which a Development Right Certificate is to be issued and manner in which the development right to be utilized under section 41A;

(eb) the manner in which land and amenity to be transferred by way of accommodation reservation under section 41B;

(ec) the manner in which development right of a property can be withdrawn or severed and allotted to other area by way of transferable development right for posterity under section 41C;”.

#### STATEMENT OF OBJECTS AND REASONS

The Government had notified Regional Plan for Goa 2021, talukawise, in the year 2010 and 2011. Thereafter, the said Regional Plan was kept on hold in the year 2012 and as such land developments and building constructions in the State were being permitted only in plots which are conforming and identified for development in both the Regional Plans,

namely, Regional Plan for Goa 2001 and Regional Plan for Goa 2021. The Government, however, taking into account the requirement of public decided to operationalize the regional Plan for Goa 2021 vide order dated 28-3-2018 with strict parameters and guidelines.

Major infrastructural developments are taking place in the form of highway development and new international airport, etc. Census of India published their population and socio-economic figures of 2011 subsequent to the notification of Regional Plan 2021. The Government, therefore, contemplate to prepare new Regional Plan for a longer perspective year of 2031, as Regional Plan-2021 itself, is slowly becoming obsolete. New planning tools like “accommodation reservation” and “transferable development right” are in vogue in many States which will help the Government in acquiring the land for public purposes with consent of the owner thereof. The new Regional Plan need to be prepared by using new planning techniques like “transferable development right for posterity” and incentivisation for people who hold their land green and without development and for conservation and preservation of natural and built heritage.

There are mismatches in Regional Plan for Goa 2001 vis-à-vis Regional Plan for Goa 2021 as many of the areas classified under Regional Plan for Goa 2001 are not in settlement zones as per Regional Plan for Goa 2021. There are many cartographical errors and new proposals like micro industrial zones, garbage management sites, disaster management sites are not feasible. Pending the preparation of new Regional Plan for a horizon year 2031, it is required to bring about a provisions in the Act to enable the Government to consider application for change of zone. Hence, Clause 4 of the Bill seeks to achieve this objective.

The Bill seeks to amend section 2 of The Goa, Daman and Diu Town and Country Planning Act, 1974 (Act No. 21 of 1975) (hereinafter referred to as the “said Act”) so as to introduce new definitions viz: “accommodation reservation”, “transferable development

right” and “transferable development right for posterity”.

The Bill further seeks to amend of sections 11, 30 and 32 so as to facilitate the preparation of Regional Plan, Outline Development Plan and Comprehensive Development Plan by using the new techniques contained in the said new definitions.

The Bill further seeks to introduce new sections namely, section 41A for acquisition of land by according a transferable development right and section 41B for transfer of land and amenity by way of “accommodation reservation” and section 41C for providing methods to preserve lands from construction by withdrawing developments right of properties which need to be preserved and allotting it to another location which is more suitable for development by way of “transferable development rights for posterity”.

The Bill also seeks to amend section 140 of the said Act for empowering the Government to frame rules on certain matters.

#### FINANCIAL MEMORANDUM

“Bill will facilitate Government to acquire land for public purpose, without incurring expenditure on payment of the amount for compensation. The Bill also enables the Government to levy processing charges and fee for change of zone for the applications made for change of zone. The revenue gain cannot be quantified at this moment.”

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1(2) of the Bill empowers the Government to issue notification to appoint a date for bringing the Act into force.

Clause 4 of the Bill empowers the Government to frame rules for prescribing form of application for change of zone.

Clause 7 of the Bill empowers the Government to frame rules for prescribing the manner for acquisition of land by according transferable development right, the form of

development right certificate and the manner for utilisation of transferable development right.

Clause 7 of the Bill further empowers the Government to frame rules for prescribing the manner of transfer of land and built up space by way of accommodation reservation.

Clause 7 of the Bill also empowers the Government to frame rules for prescribing the manner in which development right of a property can be withdrawn or severed and allotted to the other area by way of transferable development right for posterity.

These delegations are of normal character.

Porvorim-Goa,  
Dated: 23-07-2018.

VIJAI SARDESSAI  
Hon'ble Minister for  
Town and Country Planning.

Assembly Hall,  
Porvorim-Goa.

N. B. SUBHEDAR,  
Secretary to the  
Dated: 23-07-2018. Legislative Assembly of Goa.

#### Governnor's Recommendation under Article 207 of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Smt. Mridula Sinha, the Governor of Goa, hereby recomended to the Legislative Assembly of Goa, the introduction and consideration of the Goa Town and Country Planning (Amendment) Bill, 2016.

#### ANNEXURE

#### Extracts of Section 2, 30, 32 and 140 of the Goa Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975)

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

(1) “agriculture” includes (i) horticulture, farming, growing of crops, fruits, vegetables, flowers, grass, fodder and trees; (ii) any kind of cultivation of soil; (iii) breeding and keeping of livestock including cattle, horses, donkeys, mules, pigs, fish, poultry and bees; (iv) the use of land which is ancillary to the farming of land or any other agricultural purposes;

but does not include the use of any land attached to a building for the purposes of garden to be used along with such building; and the expression "agricultural" shall be construed accordingly;

(2) "amenities" include the utilities such as roads and streets, open spaces, parks, recreational grounds, playgrounds, water and electric supply, street lighting, sewerage, drainage, public works and other utilities, services and conveniences;

(3) "area of bad lay-out or obsolete development" means the area which is defined by a Development Plan as an area of bad lay-out or obsolete development and includes other lands contiguous or adjacent thereto;

(4) "Board" means the Goa, Daman and Diu Town and Country Planning Board constituted under section 4;

(5) "building operations" includes—

(a) erection or re-erection of a building or any part of it;

(b) roofing or re-roofing of a building or any part of a building or an open space;

(c) any material alteration or enlargement of a building;

(d) any such alteration of a building as is likely to affect an alteration of its drainage or sanitary arrangements or materially affect its security; and

(e) the construction of a door opening on any street or land not belonging to the owner of a building;

(6) "Chief Town Planner" means the Chief Town Planner appointed under section 3;

(7) "commerce" means the carrying on of any trade, business or profession, sale or exchange of goods of any type whatsoever, and includes the running of:—

(i) with a view to making profit, hospitals or nursing homes exceeding twenty five beds; and

(ii) hotels, restaurants and boarding houses not attached to educational institutions; and the expression "commercial" shall be construed accordingly;

(8) "commercial use" includes the use of any land or building or part thereof for purposes of commerce or for storage of goods, or as an office, whether attached to any industry or otherwise;

(9) "court" means a court under the Code of Civil Procedure, 1908 (Central Act V of 1908);

(10) "development" with its grammatical variations and cognate expressions, means the carrying out of building, engineering, mining, quarrying or other operations in, on, over or under, land, [ ] or the making of any material change in any building or land, or in the use of any building or land, and includes sub-division of any land;

(11) "Development Plan" means an Outline Development Plan or a Comprehensive Development Plan prepared under this Act;

(12) "engineering operations" includes the formation or the laying out of means of access to a road or the laying out of means of water supply, drainage, sewerage or of electricity cables or lines or of telephone lines;

(13) "Government" means the Government of Goa, Daman and Diu, and includes the Administrator of the Union territory appointed by the President under article 239 of the Constitution;

(14) "industrial use" includes the use of any land or building or part thereof for purposes of any industry;

(15) "industry" includes the carrying on of any manufacturing process as Central Act defined in the Factories Act, 1948, and 63 of 1948. the expression "industrial" shall be construed accordingly;

(16) "land" includes benefits arising out of land and things attached to the earth or permanently fastened to anything attached to the earth;

(17) "land use" means the major use to which a plot of land is being used on any specified date;

(18) "local authority" means a municipal council or a village panchayat;

(19) "local newspaper" in relation to any planning area, means any newspaper published or circulated within that area;

(20) "notification" means a notification published in the Official Gazette;

(21) "occupier" includes—

(a) a tenant;

(b) an owner in occupation of, or otherwise using his land or building or part thereof;

(c) a rent-free occupant of any land or building or part thereof;

(d) a licensee in occupation of any land or building or part thereof; and

(e) any person who is liable to pay to the owner damages for the use and occupation of any land or building or part thereof;

(22) "owner" in relation to any property, includes the person for the time being receiving or entitled to receive, whether on his own account or as agent, trustee, guardian, manager, or receiver for another person, or for any religious or charitable purpose, the rents or profits of such property;

(23) "Planning and Development Authority" means any Planning and Development Authority constituted under this Act;

(24) "planning area" means any area declared to be a planning area under this Act;

(25) "plot" means a continuous portion of land held in one ownership;

(26) "prescribed" means prescribed by rules made under this Act;

(27) "public place" means any place or building which is open to the use and enjoyment of the public, whether it is actually used or enjoyed by the public or not, and whether the entry is regulated by any fees or not;

(28) "reconstituted plot" means a plot which is altered either in ownership or in any other manner by a town planning scheme;

(29) "re-location of population" means in relation to an area of bad lay-out or obsolete development or a slum area, the making available, in that area or elsewhere, of accommodation, for residential purposes or for carrying on business or other activities, together with amenities, to persons living or carrying on business or other activities in the said area who have to be so accommodated so that the said area may be properly planned;

(30) "residence" includes the use for human habitation of any land or building or part thereof including gardens, grounds, garages, stables and out-houses if any, appertaining to such building; and the expression "residential" shall be construed accordingly;

(31) "Union territory" means the Union territory of Goa, Daman and Diu;

(32) words and expressions used in this Act and not defined herein but defined in the Goa, Daman and Diu Municipalities Act, 1968, shall have 7 of 1969.

the same meanings as are respectively assigned to them in that Act.

11. *Contents of regional plan.*— (1) Subject to the provisions of this Act and any rules made thereunder, the regional plan shall indicate the stages by which

development may be carried out, the network of transport and communication lines, the proposals for conservation and development of natural resources and such other matters as may have an influence on the development of the concerned area.

(2) In particular, and without prejudice to the generality of the foregoing provisions, a regional plan may provide for all or any of the following matters, namely:—

(a) the broad demarcation of areas for agriculture, forestry, industry, mineral development, urban and rural settlements and other activities;

(b) the reservation of land for recreation, botanical and zoological gardens, natural reserves, animal sanctuaries, dairies and health resorts and for the preservation, conservation and development of areas of natural scenery, forests, wild life, natural resources and landscaping;

(c) preservation of objects, features, structures or places of historical, natural, archaeological or scientific interest and educational value;

(d) the prevention of erosion of soil, provision for afforestation, or re-afforestation, improvement and re-development of water front areas, rivers and lakes;

(e) transport and communications network such as roads, highways, railways, water ways, canals and airports including their future development;

(f) rural and urban centres, both existing and new, indicating the extent of their anticipated growth;

(g) for irrigation, water supply and hydro-electric works, flood control and prevention of water pollution;

(h) providing for the re-location of population or industry from over-populated and industrially congested areas, and indicating the density of population or the concentration of industry to be allowed in any areas.

30. *Contents of Outline Development Plan.*— (1) An Outline Development Plan shall—

(a) indicate broadly the manner in which the land in the planning area is proposed to be used;

(b) allocate areas or zones of land for use —

(i) for residential, commercial, industrial and agricultural purposes;



(ii) for public and semi-public open spaces, parks and playgrounds; and

(iii) for such other purposes as the Planning and Development Authority may think fit;

(c) indicate, define and provide—

(i) for existing and proposed national highways, arterial roads, ring roads and major streets; and

(ii) for existing and proposed lines of communications, including railways, tramways, airports and canals;

(d) regulate within such zone, the location, height, number of storeys and size of buildings and other structures, the size of yards, courts and other open spaces, and the use of buildings, structures and land.

(2) An Outline Development Plan may also indicate, define and provide for—

(a) the existing and proposed public and semi-public buildings; and

(b) all or any of the purposes and matters as may be indicated, defined and provided for in the Comprehensive Development Plan under section 32.

(3) Subject to such rules as may be prescribed regulating the form and contents of an Outline Development Plan any such plan shall include such maps and such descriptive matter as may be necessary to explain and illustrate the proposals contained in that Plan.

14[(4) After the coming into operation of Outline Development Plan and defining the Zone thereof, the conversion shall be in conformity with the contents of an Outline Development Plan and in accordance with such procedure as may be prescribed;]

32. *Contents of Comprehensive Development Plan.*— (1) A Comprehensive Development Plan shall—

(a) indicate, define and provide for all the matters that have to be, or may be, indicated, defined and provided for in the Outline Development Plan with such modifications as the Planning and Development Authority deems fit;

(b) indicate, define and provide for—

(i) areas to be reserved for agriculture, public and semi-public open spaces, parks, playgrounds, gardens, and other recreational uses, green belts and natural reserves;

(ii) comprehensive land allocation of areas or zones for residential, commercial, industrial, agricultural and other purposes;

(iii) complete road and street pattern and traffic circulation pattern for present and future requirements;

(iv) major road and street improvements;

(v) areas reserved for public buildings and institutions and for new civic development;

(vi) areas for future development and expansion, and areas for new housing;

(vii) amenities, services and utilities;

(viii) such other matters as may be prescribed or as may be directed by the Government or the Board to be indicated, defined, and provided for;

(c) include zoning regulations to regulate within each zone, the location, height, number of storeys and size of buildings and other structures, the size of yards, courts and other open spaces and the use of buildings, structures and land;

<sup>14</sup> Inserted by the Amendment Act 19 of 1995.

(d) indicate the stages by which the proposals are intended to be carried out, together with the financial implications of each stage.

(2) The Comprehensive Development Plan may—

(a) indicate, define and provide for—

(i) all such matters including planning standards, gross and new density and such guiding principles as the Planning and Development Authority may consider expedient to be indicated, defined and provided for in the Development Plan;

(ii) detailed development of specific areas for housing, shopping centres, industrial areas, civic centres, educational and cultural institutions;

(iii) control of architectural features, elevation and frontage of buildings and structures;

(iv) a five year development programme within the stages indicated in clause (d) of sub-section (1);

(b) designate, any land as land subject to acquisition for any public purpose, and in particular, but without prejudice to the generality of this provision for the purposes of:—

(i) the Union or the State Governments, or for any local authority or other authority established by law and public utility concerns;

(ii) dealing satisfactorily with the areas of bad layout or obsolete development, slum areas and for re-location of population;

(iii) providing for open spaces, parks and playgrounds;

(iv) securing the use of the land in the manner specified in the development plan;

(v) any of the matters as are referred to in clause (a).

(3) Subject to such rules as may be made for regulating the form and contents of a Comprehensive Development Plan, any such plan shall include such maps and such descriptive matters as may be necessary to explain and illustrate the proposals included in that plan.

140. *Power to make rules.*— (1) The Government may, by notification, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the qualifications in town and country planning for appointment as Chief Town Planner;

(b) the term of office of the members of the Board, the manner of filling casual vacancies among them and the allowances payable to such members for attending the meetings of the Board;

(c) the procedure to be followed in regard to the transaction of business at the meetings of the Board;

(d) the functions which may be performed by the Board and the Planning and Development Authority;

(e) the term of office and conditions of service of the Chairman and the members of the Planning and Development Authority;

(f) the manner in which and the purposes for which a Planning and Development Authority may associate any person under section 24;

(g) the control and restrictions subject to which officers and other staff of the Board, and of the Planning and Development Authority may be appointed;

(h) the form in which land use map and land use register shall be prepared;

(i) the form and contents of a Development Plan;

(j) the time within which modifications, if any, may be directed to be made in any Development Plan under section 34;

(k) the form in which any application for permission for development in respect of, or change of use of, land shall be made, the particulars to be contained therein and the documents and plans which shall accompany such application;

(l) the manner of filing of appeals under this Act, the fees to be paid thereon and the procedure to be followed in such appeals;

(m) the manner in which an acquisition notice may be served under this Act;

(n) the time within which and the manner in which a claim for compensation may be made under section 48 and the procedure to be followed for assessment of compensation;

(o) the matters which may be included in a town planning scheme;

(p) the procedure to be followed in summarily evicting a person under section 80;

(q) the manner in which a draft variation of a final scheme shall be published under sub-section (2) of section 81 and the particulars to be contained in such variation;

(r) the exemption from the levy of Development Charges payable under this Act;

(s) the rates of Development Charges and the manner in which an application for assessment of the Development Charge may be made;

(t) the sum of money that may be kept in a current account by the Planning and Development Authority;

(u) the form in which and the time within which the budget of a Planning and Development Authority shall be prepared and the number of copies that have to be sent to the Board and the Government;

(v) the form of the annual statement of accounts and balance sheet of a Planning and Development Authority;

(w) the manner in which and the conditions subject to which pension and provident funds shall be constituted by a Planning and Development Authority for the benefit of its officers and other employees;

(x) the documents in respect of which certified copies may be granted and the fees payable therefor;

(y) any other matter which has to be, or may be, prescribed.

(3) Any rule made under this section may provide that a contravention thereof shall be punishable with fine which may extend to five hundred rupees and in the case of a continuing contravention, with an additional fine which may extend to twenty-five rupees for every day during which such contravention continues after conviction for the first such contravention.

(4) Every rule made under this section shall be laid as soon as may be after it is made, before the Legislative Assembly of the Union territory while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Assembly makes any modification in the rule or the Assembly states that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

LA/LEGN/2018/1024

The following bill which was introduced in the Legislative Assembly of the State of Goa on 26th July, 2018 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa State Higher Education  
Council Bill, 2018

(Bill No. 11 of 2018)

A

BILL

*to provide for the constitution of the Goa State Higher Education Council.*

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

1. *Short title, extent, and commencement.*—  
(1) This Act may be called the Goa State Higher Education Council Act, 2018.

(2) It shall extend to the whole of the State of Goa.

(3) It shall come into force on such date as the Government may, by notification, appoint.

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

(a) “AISHE” means the All India Survey on Higher Education initiated by the Ministry of Human Resource Development, Government of India;

(b) “Affiliated Institutions” means the institutions which are run and controlled by their own governing bodies, affiliated to the Goa University and recognized by Government of Goa;

(c) “Apex Regulatory Institutions” means the regulatory Institutions created under the Act for the governance of institutions;

(d) “Chairperson” means the Chairperson of the Council;

(e) “Council” means the Goa State Higher Education Council constituted under section 3;

(f) “Official Gazette” means the Official Gazette of the Government;

(g) “Executive Director” means Executive Director appointed under section 8;

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

(i) “Higher Education” means an education, whether professional, technical, or otherwise leading to the award of a degree or diploma by a University or an institute approved by the institution;

(j) "Institution" means an academic institution of higher education which offers various kinds of courses or training programme;

(k) "Member" means a member of the Council and includes the Chairperson and Vice-Chairperson;

(l) "MIS" means management information system to provide efficiency and effectiveness of strategic decision making;

(m) "Prescribed" means prescribed by rules made under this Act;

(n) "Regulations" means the regulations made by Council;

(o) "Rules" means the rules made under this Act;

(p) "State" means the State of Goa;

(q) "State University" means the university run, managed, controlled and formed by the State Government under the Act;

(r) "Statutes", "Ordinances", "Regulations" of a university means the Statutes, the Ordinances, and the Regulations of a University;

(s) "Vice-Chairperson" means the Vice-Chairperson of the Council.

3. *Constitution of the Council.*— (1) The Government may, by notification in the Official Gazette constitute a Council to be called the Goa State Higher Education Council.

(2) The Council shall consist of the following members, namely:—

(a) The Chief Minister of Goa, who shall be the ex officio Chairperson thereof;

(b) An eminent academic administrator with proven record or a professional from industry or Administration with sufficient experience in the academic sector, who shall be the Vice-Chairperson thereof;

(c) the Minister for Education, Government of Goa; Finance Secretary, Government of Goa; Secretary, Department of Education, Government of Goa; Director of Higher Education, Government of Goa; and Director of Technical Education, Government of Goa shall be ex officio members;

(d) five members to be nominated by the Government who are persons of scholarly pursuit, one each belonging from the field of art and culture, science and technology, civil society, industry and vocational field;

(e) Vice-Chancellor of the Goa University, ex officio member;

(f) two Principals of the Colleges to be nominated by the Government in rotation of two years;

(g) five members co-opted by the Council who are persons of scholarly pursuit;

(h) one nominee of the Government of India to be nominated by the Ministry of Human Resource Development;

(i) Executive Director, who shall be the ex-officio member Secretary thereof.

(3) The Council shall by the name of the Goa State Higher Education Council be a body corporate, and have perpetual succession and a common seal, and shall by that name sue and be sued.

(4) The Council shall have the power to acquire and hold property, both movable and immovable. Subject to the provisions of this Act and the rules made thereunder, to transfer any property held by itself and to enter into contracts and to do all other things necessary for the purpose of this Act.

(5) The headquarter of the Council shall be located at the place decided by the Government from time to time.

4. *Disqualifications.*— (1) No person shall be qualified for nomination or to continue as a member of the Council, if he is,—

(a) of unsound mind; or

(b) adjudicated as an un-discharged insolvent; or

(c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude; or

(d) directly or indirectly by himself or his partner has any share or interest in any work done by order of, or in any contract entered into on behalf of the Council; or

(e) a person who has been terminated from any Government or University service on ground of misconduct or negligence.

(2) In case of dispute or doubt as to whether a person is disqualified under sub-section (1), the decision of the Government shall be final.

(3) Save as otherwise provided in this Act, no person who is not a graduate of any University established by law shall be eligible for nomination as a member of the Council under this Act.

5. *Responsibilities and functions of the Council.*— (1) The Council shall,—

(a) advice the Government, University and other institutions of higher education in the State;

(b) co-ordinate the roles of the Government, University and Apex Regulatory Institutions in higher education within the State;

(c) provide common facilities in higher education.

(2) For furtherance of the above responsibilities and functions, the Council shall,—

(a) formulate and evolve State Higher Education Plan for the development of higher education, *suo moto* or on the direction from the Government or on request from the University or other Institution in the State;

(b) provide support to State Institutions and affiliated institutions for formulation, production and implementation of their plans;

(c) monitor the implementation of State Higher Education Plan;

(d) compile and maintain periodic statistics relating to various parameters of Higher Education at State and institutional level and assist in All India Survey on Higher Education;

(e) create and maintain Management Information System;

(f) evaluate institutions on the basis of norms developed by national level higher education institutions;

(g) suggest improvements in curriculum and syllabus in accordance with the changing society's and academic requirements and maintain quality of curriculum;

(h) ensure quality of examinations and suggest reforms in examination;

(i) undertake necessary steps for establishing inter-linkage between research and learning process;

(j) protect the autonomy of State institutions and review periodically the Statutes, Ordinances and Regulations of the University in the State and suggest appropriate improvement for the realization of the objects of social justice and academic excellence in education, and advise the university or institution of higher education on Statutes and Ordinances;

(k) provide approval for setting up new institutions of higher education;

(l) suggest accreditation reform measures in consultation with National Assessment and Accreditation Council;

(m) advise Government on strategic investments in higher education;

(n) evolve guidelines for linkages of an academic nature between higher education institutions in the State and institutions within and outside the country;

(o) make proposals for the generation and utilization of funds in accordance with the objectives of this Act;

(p) evolve general guidelines for the release of grants by the Government or any agency authorized by the Government and disburse funds to the University and colleges on the basis of State Higher Education Plan;

(q) evolve methodology for timely transfer of the funds earmarked for the State University and other institutions of higher education;

(r) hold discussions, conduct workshops, seminars with the objective of facilitating the widest possible consultancies with experts and stakeholders for formulating the policies on higher education and facilitating their proper implementation;

(s) provide a forum for the interaction among the academy, industries, agriculture and science sectors;

(t) co-ordinate various programmes being promoted and undertaken by Central and State Governments and National level apex regulatory institutions in the territory of India.

6. *The Chairperson.*— (1) The Chairperson shall preside over the meetings of the Council;

(2) The Chairperson shall not be deemed to hold any office of profit by reason only that he is the Chairperson of the Council.

7. *Appointment of the Vice-Chairperson.*—

(1) The Vice-Chairperson shall be appointed on the recommendation of a search committee consisting of Chairperson of the Council and two other members, one nominated by the Council and one by the Government;

(2) The Vice-Chairperson shall have one non-extendable term of five years or till he attains the age of 70 years;

(3) The Vice-Chairperson may be removed by the Government on the recommendation of the Council;

(4) The Vice-Chairperson shall preside over the meetings of the Council in the absence of the Chairperson;

(5) The salary and allowances payable to the Vice-Chairperson shall be such as may be specified by the Government, from time to time, by Notification in the Official Gazette.

8. *The Executive Director.*— (1) The Government shall appoint the Executive Director who shall be the Member Secretary of the Council and he be responsible for co-ordination and the functioning of the Council;

(2) The Executive Director shall exercise such other powers and perform such other functions as may be prescribed.

9. *Officers and Staff of the Council.*— (1) The Government shall appoint one Administrative Officer and one Finance Officer for the Council.

(2) The Council may, with prior approval of the Government, appoint such number of employees as it deems necessary for the efficient performance of its functions under this Act. The terms and conditions of service of the employees of the Council shall be such as may be specified in the regulations to be framed by the Council.

10. *Administrative Officer.*— (1) The Administrative Officer shall be a whole-time officer of the Council and shall be a person on deputation from University, College or from recognized Educational Institution;

(2) The Administrative Officer shall be a person having at least fifteen years experience of teaching in a college or post graduate Department of University;

(3) The Administrative Officer shall be in charge of general administration and shall exercise such powers and perform such duties as may be assigned to him by the Chairperson;

(4) The Administrative Officer shall be entitled to receive deputation allowance over and above his pay and allowances which he was drawing in his parent organization.

11. *Finance Officer.*— (1) The Finance Officer shall be a whole-time officer of the Council and shall be a person on deputation;

(2) The Finance Officer shall be a person having fifteen years of experience in financial administration, and sound knowledge of accountancy, auditing and budgetary procedures;

(3) The Finance Officer shall be In-charge of Accounts Department and shall be responsible for maintaining the accounts of the Council and shall exercise such powers and perform such duties as may be assigned to him/her by the Chairperson;

(4) The Finance Officer shall be entitled to receive deputation allowance over and above his pay and allowances which he was drawing in his parent Institution.

12. *State Project Directorate.*— (1) The Government shall by notification in the Official Gazette constitute a State Project Directorate.

(a) The State Project Directorate shall consist of the State Project Director and such adequate support staff as may be required for

the effective functioning of the State Project Directorate.

(b) The State Project Directorate shall,—

(i) oversee project implementation at the State level;

(ii) maintain statistical data and Management Information System report; and

(iii) engage Project Auditors and Consultants as required.

13. *Technical Support Group.*— (1) The Council may by notification in the Official Gazette constitute a Technical Support Group consisting of such experts as may be decided by the Council.

(2) The Technical Support Group shall,— (i) monitor flow of funds and information; (ii) generate Management Information System reports as required; and (iii) provide operational support to the Council.

14. *Terms and Conditions of the nominated members.*— (a) Each nominated and co-opted member shall normally have a term of six years, provided that one-third of the members shall retire every two years on the basis of age, and the vacancy shall be filled by the Government, if the retiring member is a Government nominee, or by the council, if the retiring member is a co-opted member;

(b) At any point of time, twenty members of the Council should be from the state and five members must be individual of national eminence (outside the State);

(c) The nominated and co-opted member may by writing under his hand addressed to the Chairperson of the Council resign his membership but he/she shall continue to remain member until his/her resignation is accepted in writing by the Chairperson of the Council;

(d) The nominated and co-opted member shall be eligible for such rate of travelling

allowance, daily allowance and sitting fee as may be prescribed;

(e) Subject to the provision of this section the other terms and condition of the service shall be such as may be prescribed.

15. *Meetings of the Council.*— (1) The Council shall meet as often as may be necessary, at such time and place and observe such rules of procedures as may be provided in the regulations, but it shall meet at least once in six months.

(2) It shall have the power to act, notwithstanding any vacancy in the membership or any defect in the constitution thereof, and the proceedings of the Council shall be valid notwithstanding that some person, who was not entitled to be a member, had attended, or otherwise had taken part in the proceedings of the Council.

(3) The meeting of the Council shall be convened by the Executive Director on the advice of the Chairperson.

(4) The quorum of the meeting of the Council shall be one third of the total members of the Council. The decision of the meetings may be taken by simple majority of those present and voting.

16. *Funds of the Council.*— (1) The funds of the Council shall include all sums which may, from time to time, be paid to it by the Government and all other receipts including any sum from the Central Government, or any other authority, institutions or persons.

(2) The Government may pay to the Council for every financial year such sums as may be considered necessary for the functioning of the Council and for the discharge of its responsibilities and duties under this Act.

(3) All expenditure incurred by the Council under or for the purposes of this Act shall be defrayed from out of the fund and any surplus remaining, after such expenditure has been

met, shall be invested in such manner as may be prescribed.

17. *Annual Accounts and Audit.*— (1) The accounts of the Council shall be maintained in such manner and in such form as may be prescribed.

(2) The Council shall prepare an annual statement of accounts in such form and in such manner as may be prescribed.

(3) The accounts of the Council shall be audited once in a year by such auditor as the Government may appoint or depute in this behalf.

(4) The Executive Director to the Council shall cause the annual audit report to be printed and shall place such report before the Council for consideration at its next meeting.

(5) The Council shall take appropriate action forthwith to remedy any defect or irregularity that may be pointed out in the audit report.

(6) The accounts of the Council as certified by the auditor together with the audit report along with the remarks of the Council there on shall be forwarded to the Government within such time as may be prescribed.

18. *Annual Report.*— The Council shall prepare for every year a report of its activities under this Act during that year and submit the report to the Government.

19. *Chairperson, Vice-Chairperson, Executive Director, Members, Officers and Staff of the Council to be public servants.*— The Chairperson, Vice-Chairperson, Executive Director, Member, Officers and Staff of the Council, when acting or purporting to act in pursuance of any provisions of this Act or any rule or order or direction made or issued under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

20. *Protection of action taken in good faith.*— No suit, prosecution or other legal



proceeding shall lie against the Government or the Council, or any officer of the Government or any member, officer or employee of the Council in respect of anything which is in good faith done or intended to be done under this Act.

21. *Act to have overriding effect.*— The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other State law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

22. *Power to make rules.*— (1) The Government may, by notification in the Official Gazette and after previous publication, make rules for the purpose of carrying out the provisions of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly of Goa.

23. *Power to make regulations.*— (1) The Council may, with the previous approval of the Government, by notification in the Official Gazette, make regulations not inconsistent with this Act and the rules made there under to provide for all matters for which provision is expedient for the purposes of giving effect to the provisions of this Act.

24. *Power to remove difficulties.*— (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removal of the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of the commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the Legislative Assembly of Goa.

## STATEMENT OF OBJECTS AND REASONS

The Ministry of Human Resource Development, University Grants Commission and Rashtriya Uchhatar Shiksha Abhiyan, 2013 have recommended that the State level planning and co-ordination of higher education including University Education shall be done through an independent, autonomous Council for Higher Education. Accordingly, in order to bring out better excellence, inclusiveness and accessibility in the Higher Education Sector, the State Government has decided to constitute the State Level Higher Education Council to be known as Goa State Higher Education Council. The Council shall function in order to forge synergic relationship amongst the State Government, Universities, academics and experts by occupying an operational space between the Government and Universities on one hand and between Universities and apex level regulatory institutions on the other. The main objects of the Council includes planned and co-ordinated development of Higher education in the State, promoting academic excellence and social justice by obtaining academic input for policy formulation and perspective planning, ensuring autonomy, accountability and co-ordination of all institutions of higher education in the State and guiding the growth of higher education in accordance with the socio-economic requirements of the State.

The Bill seeks to achieve the aforesaid objects.

## FINANCIAL MEMORANDUM

The expenditure involved cannot be quantified at this stage. However, during initial years an expenditure of Rupees Five Crores approximately would be required per annum.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves delegation of legislature powers in the following respect.

Clause 1— sub-clause (iii) of this clause empowers the State Government to appoint, by notification in the Official Gazette, the date on which the Act came into force.

Clause 3— sub-clause (i) empowers the State Government, by notification in the Official Gazette, to constitute the Goa State Higher Education Council.

Clause 3— sub-clause (iv) of this clause empowers the State Government to notify the headquarter of the Council.

Clause 21— This clause empowers the Council to make regulation not inconsistent with the provisions of the Act with the approval of the State Government.

Clause 22— This clause empowers the State Government to make rules, by notification, to carry out all or any purposes of the Act.

Clause 23— This clause empowers the State Government to remove difficulty if arises in giving effect to the provisions of this Act.

The delegation of legislative powers as aforesaid is necessary and is of a normal character.

Porvorim—Goa. MANOHAR PARRIKAR,  
23rd July, 2018. Education Minister/Chief  
Minister

Assembly Hall. N. B. SUBHEDAR  
Porvorim—Goa. Secretary to the  
Legislative Assembly of Goa.

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

In pursuance of Article 207 of the Constitution of India, I, Mridula Sinha, the Governor of Goa, hereby recommend to the Legislative Assembly of Goa, the Goa State Higher Education Council Bill, 2018.

RAJ BHAVAN. MRIDULA SINHA  
Date: 19th July, 2018. Governor of Goa.

LA/LEGN/2018/1025

The following bill which was introduced in the Legislative Assembly of the State of Goa on 26th July, 2018 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

-----  
The Goa Lokayukta (Amendment)  
Bill, 2018

(Bill No. 13 of 2018)

A

BILL

further to amend the Goa Lokayukta Act, 2011  
(Goa Act 3 of 2012).

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

1. *Short title and commencement.*— (1) This Act may be called the Goa Lokayukta (Amendment) Act, 2018.

(2) It shall come into force at once.

2. *Amendment of section 21.*— In section 21 of the Goa Lokayukta Act, 2011 (Goa Act 3 of 2012), in sub-section (1),—

(i) for the expression "30th June", the expression (words) "5th November" shall be substituted;

(ii) for the figure "." at the end, the figure ":" shall be substituted;

(iii) the following proviso shall be inserted, namely:—

"Provided that the provisions contained in sub-section (1) shall not be applicable to the public functionary after the expiry of one year from the date he ceases to hold such office".

## STATEMENT OF OBJECTS AND REASONS

The public functionaries find it difficult to file their assets and liabilities statements by 30th June since the accounts of the business run by them or by their family members are available only by 30th September of the financial year. The Bill therefore seeks to amend section 21 of the Goa Lokayukta Act, 2011 (Goa Act 3 of 2012) so as to enable the public functionaries to file the assets and liabilities statements by 5th November of the financial year.

This Bill seeks to achieve the above object.

## FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is involved in this Bill.

Porvorim-Goa. (MANOHAR PARRIKAR)  
Dated: 24-7-2018. Hon. Chief Minister/  
/Minister for Vigilance.

Assembly Hall, (N. B. SUBHEDAR)  
Porvorim-Goa. Secretary to the Legislative  
Dated: 24-7-2018. Assembly of Goa.

date he enters upon his office and thereafter before the 30th June of every year, submit to the Lokayukta in the prescribed form a statement of his assets and liabilities held by him or by any person on his behalf and those of the member of his family. The public functionaries falling under clause (o) and sub-clause (ix) of clause (q) of section 2, shall file statement before respective authorities as required under their respective service rules, who will act on the same in accordance with those rules.

(2) If no such statement is received by the Lokayukta from any such public functionary within the time specified in sub-section (1), the Lokayukta shall make a report to that effect to the competent authority and send a copy of the report to the public functionary concerned. If within two months of such report the public functionary concerned does not submit the statement of his assets and liabilities as above mentioned, the Lokayukta shall publish or cause to be published the names of such public functionaries in two newspapers having wide circulation in the State with a report to the Governor who may then place the matter before the Legislative Assembly of Goa.

Porvorim-Goa. (MANOHAR PARRIKAR)  
Dated: 24-7-2018. Hon. Chief Minister/  
/Minister for Vigilance.

Assembly Hall. (N. B. SUBHEDAR)  
Porvorim-Goa. Secretary to the Legislative  
Dated: 24-7-2018. Assembly of Goa.

## ANNEXURE

.....  
**Extract of section 21 of the Goa Lokayukta Act, 2011**  
**(Goa Act 3 of 2012)**  
.....

21. *Public functionary to submit property statements.*— (1) Every Public functionary falling within the purview of the Lokayukta for the purpose of investigation under this Act, other than the officer referred to in clause (o) and sub-clause (ix) of clause (q) of section 2, shall, within six months from the

LA/Legn/2018/1063

The following bill which was introduced in the Legislative Assembly of the State of Goa on 27th July, 2018 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa State Commission for Backward  
Classes (Amendment) Bill, 2018

(Bill No. 12 of 2018)

A

BILL

*further to amend the Goa State Commission  
for Backward Classes Act, 1993 (Goa Act  
No. 13 of 1993).*

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

1. *Short title and commencement.*— (1) This  
Act may be called the Goa State Commission  
for Backward Classes (Amendment) Act, 2018.

(2) It shall come into force at once.

2. *Amendment of section 3.*— In section 3  
of the Goa State Commission for Backward  
Classes Act, 1993 (Goa Act No.13 of 1993), in  
sub-section (2), in clause (d), for the word  
“Secretary”, the word “Joint Secretary” shall  
be substituted.

STATEMENT OF OBJECTS AND REASONS

The Secretary to the Government is a post  
of All India Service Officers governed by the  
cadre rules and at times due to limited number  
of IAS Officers it is difficult for an IAS Officer  
to manage the post of the Member Secretary  
of the State Commission for Backward  
Classes.

The Bill therefore seeks to amend section  
3 of the Goa State Commission for Backward  
Classes Act, 1993 (Goa Act No. 13 of 1993) so  
as to enable the Government to nominate its  
Officer in the rank of a Joint Secretary or above  
as the Member Secretary of the said  
Commission.

This Bill seeks to achieve the above  
object.

FINANCIAL MEMORANDUM

No financial implications are involved in this  
Bill.

MEMORANDUM REGARDING DELEGATED  
LEGISLATION

No delegated legislation is involved in this  
Bill.

Assembly Hall, (MANOHAR PARRIKAR)  
Porvorim-Goa. C.M./Minister for Social Welfare.  
23rd July, 2018.

Assembly Hall, (NILKANTH SUBHEDAR)  
Porvorim-Goa. Secretary to the  
23rd July, 2018. Legislative Assembly of Goa.

ANNEXURE

.....  
**Extract of section 3 of the Goa State Commission  
for Backward Classes Act, 1993 (Goa Act No. 13  
of 1993)**  
.....

Section 3:— Constitution of the State Commission  
for Backward Classes—

(1) The State Government shall constitute a body  
to be known as the State Commission for Backward  
Classes to exercise the powers conferred on, and to  
perform the functions assigned to it under this act.

(2) The Commission shall consist of the following  
Members nominated by the State Government:—

(a) a Chairperson, who is or has been a Judge  
of a High Court or District Judge or a person who  
is qualified to be appointed as a Judge of a High  
Court or as a District Judge;

(b) a social scientist;

(c) three persons, who have special knowledge  
in matters relating to backward classes; and

(d) a Member-Secretary, who is or has been an  
Officer of the State Government in the rank of a  
Secretary or above, to the Government.

—————  
LA/LEGN/2018/1080

The following bill which was introduced in  
the Legislative Assembly of the State of Goa  
on 31st July, 2018 is hereby published for  
general information in pursuance of  
Rule-138 of the Rules of Procedure and  
Conduct of Business of the Goa Legislative  
Assembly.

The Goa Land Revenue Code  
(Amendment) Bill, 2018

(Bill No. 14 of 2018)

A

BILL

*further to amend the Goa Land Revenue Code,  
1968 (Act No. 9 of 1969).*

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

1. *Short title and commencement.*— (1) This Act may be called the Goa Land Revenue Code (Amendment) Act, 2018.

(2) It shall come into force at once.

2. *Amendment of section 33.*— In section 33 of the Goa Land Revenue Code, 1968 (Act No. 9 of 1969) (hereinafter referred to as the “principal Act”), after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Notwithstanding anything contained in this section, the Collector upon receipt of report from the Town and Country Planning Department/Environment Department/Goa Coastal Zone Management Authority that any person has done land filling in any low lying area, khazan land, land under Coastal Regulation Zone, water body or environmentally/ecologically sensitive area, shall, without issuing any notice to the owner of land or such person, immediately restore the same to its original position and any cost incurred in so doing shall be recoverable from such person as if it were arrears of land revenue.”.

3. *Amendment of section 61.*— In section 61 of the principal Act, after sub-section (4), the following proviso shall be inserted, namely:—

“Provided that such limits as may be prescribed shall not be applicable for partition of the land purchased by a mundkar under the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act No.1 of 1976).”.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend section 33 of the Goa Land Revenue Code, 1968 (Act No. 9 of 1969) (hereinafter referred to as the “said Act”) so as to empower the Collector to take immediate action against illegal land filling in any low lying area, khazan land, land under Coastal Regulation Zone, water body or environmentally/ecologically sensitive area.

The Bill further seeks to amend section 61 of the said Act so as to enable the mundkar to get the land purchased by him partitioned, irrespective of the limits of such area.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

Clause 2 of the Bill empowers the Collector to take immediate remedial action for restoration of the site concerned, for which initially some expenditure will need to be borne, which thereafter will be recovered under due process of law. The financial implications on this count cannot be quantified at this stage.

MEMORANDUM REGARDING DELEGATED  
LEGISLATION

No delegated legislation is envisaged in this Bill.

Assembly Hall,  
Porvorim, Goa.  
30<sup>th</sup> July, 2018.

(ROHAN A. KHAUNTE)  
Minister for Revenue.

Assembly Hall,  
Porvorim, Goa.  
30<sup>th</sup> July, 2018.

(NILKANTH SUBHEDAR)  
Secretary to the Legislative  
Assembly of Goa.

ANNEXURE

**Extract of Section 33 and 61 of the Goa Land  
Revenue Code, 1968 (Act No. 9 of 1969)**

33. *Penalty for so using land without permission.*—  
(1) if any land held or assessed for one purpose is used for another purpose without obtaining

permission of the Collector under section 32 or 32-A or before the expiry of the period after which the change of user is deemed to have been granted under that section, or in contravention of any of the terms and conditions subject to which such permission is granted, the holder thereof or other person claiming through or under him, as the case may be, shall be liable to the one or more of the following penalties, that is to say,—

- (i) to pay non-agricultural assessment on the land with reference to the altered use;
- (ii) to pay such fine not exceeding the market value of the land as the Collector may, subject to rules made by the Government in this behalf, direct;
- (iii) to restore the land to its original use or to observe the conditions on which the permission is granted within such reasonable period as the Collector may by notice in writing direct; and such notice may require such person to remove any structure, to fill up any excavation or to take such other steps as may be required in order that the land may be used for its original purpose or that the conditions may be satisfied.

(1A) Where the land has been used for dumping mining rejects or like material without permission, the Government may impose such fine as may be prescribed.

(2) If any person fails within the period specified in the notice aforesaid to take steps required by the Collector, the Collector may also impose on such person a penalty not exceeding three hundred rupees for such contravention, and a further penalty not exceeding thirty rupees for each day during which the contravention continues. The Collector may himself take those steps or cause them to be taken; and any cost incurred in so doing shall be recoverable from such person as if it were an arrear of land revenue.

*Explanation:*— Using land for the purpose of agriculture where it is assessed with reference to any other purpose shall not be deemed to be change of user.

61. *Partition.*— (1) Subject to the provisions of any law for the time being in force for the prevention of fragmentation and consolidation of holdings, a holding may be partitioned on the decree of a civil court or on application of 44[holder] in the manner hereinafter prescribed.

(2) If in any holding there is more than one co-holder, any such co-holder may apply to the Collector for a partition of his share in the holding:

Provided that, where any question as to title is raised, no such partition shall be made until such question has been decided by a civil suit.

(3) Subject to the provisions of sub-section (4), the Collector may, after hearing the co-holders, divide the holding and apportion the assessment of the holding in accordance with the rules made by the Government under this Code.

Provided that nothing in this sub-section shall apply to any land acquired by the Government under any law for the time being in force, dealing with acquires of land by the Government and the Director of Settlement and Land Records shall carry out partition within six months of the receipt of mutated land index form from the concern Mamlatdar and effect necessary changes in the land record on the basis of records relating to possession obtained under such law.

(4) The application under sub-section (2) shall be rejected if the partition applied for results in creating a holding, the area or land revenue of which will be below such limits as may be prescribed.

(5) Expenses properly incurred in making partition of a holding shall be recoverable as a revenue demand in such proportion as the Collector may think fit from the co-holders at whose request the partition is made, or from the persons interested in the partition.

LA/LEGN/2018/1081

The following bill which was introduced in the Legislative Assembly of the State of Goa on 31st July, 2018 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

### The Goa Regularisation of Unauthorized Construction (Amendment) Bill, 2018

(Bill No. 15 of 2018)

A

BILL

further to amend the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016).

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

1. *Short title and commencement.*— (1) This Act may be called the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2018.

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

2. *Amendment of section 3.*— In section 3 of the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016) (hereinafter referred to as the “principal Act”), in sub-section (1), the following proviso shall be inserted, namely:—

“Provided that the person who could not make application within above period may make such application within a period of thirty days from the date of coming into force of the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2018.”.

3. *Repeal and Saving.*— (1) The Goa Regularisation of Unauthorized Construction (Amendment) Ordinance, 2018 (Ordinance No. 1 of 2018) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act at that relevant time.

#### STATEMENT OF OBJECTS AND REASONS

The Bill seeks to enhance the time limit for filing of the applications for regularization of unauthorized construction.

The Bill also seeks to repeal the Goa Regularisation of Unauthorized Construction (Amendment) Ordinance, 2018 (Ordinance

No. 1 of 2018) promulgated by the Governor of Goa on the 15th day of June, 2018.

This Bill seeks to achieve the above object.

#### FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1(2) of the Bill empowers the Government to issue notification to appoint date for bringing the Act into force.

Assembly Hall,  
Porvorim, Goa.  
30th July, 2018.

(ROHAN A. KHAUNTE)  
Minister for Revenue.

Assembly Hall,  
Porvorim, Goa.  
30th July, 2018.

(NILKANTH SUBHEDAR)  
Secretary to the Legislative  
Assembly of Goa.

#### ANNEXURE

#### Extract of sub-section (1) of Section 3 of the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016).

3. *Regularisation of unauthorized construction.*— (1) Any person who has carried out unauthorized construction in the property specified herein below before the 28th day of February, 2014, may make an application in Form I hereto together with application fee in the form of Court fee stamp of rupees five, documents specified in Schedule I hereto, sketch of the structure proposed to be regularised alongwith dimensions to the officer as may be authorised by the Government by Notification in the Official Gazette, not below the rank of Junior Scale Officer of Goa Civil Service, for regularisation of such unauthorised construction, within a period of 180 days from the date of coming into force of this Act:

(a) any residential, commercial or residential cum commercial unauthorised construction in applicants own property or by the applicant who

is co-owner, with written consent of all other co-owners thereto, in a property jointly held by the applicant with such co-owners.

(b) any unauthorized construction of a dwelling house by the applicant who is declared/registered as mundkar under the provisions of the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act No. 1 of 1976) or a farm house constructed by the applicant who is tenant or owner of an agricultural land.

(c) any unauthorized construction by the applicant in undivided property jointly held by a unit of family or families, with written consent of all other members of the family/families.

(d) any unauthorized construction carried out by an institution or a person other than an individual in its property.

(e) any unauthorized construction carried out by the applicant, in a property wholly owned by another person with the consent of such person.

LA/LEGN/2018/1082

The following bill which was introduced in the Legislative Assembly of the State of Goa on 31st July, 2018 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

### The Goa (Mopa Airport Development Authority) Bill, 2018

(Bill No. 16 of 2018)

A

BILL

In order to provide better commutation facilities to the residents of Goa, tourists visiting Goa from within India and overseas, and to provide a for a state of the art Airport and other infrastructure facilities and;

In order to secure the welfare of the villagers adjoining Mopa Airport, for their orderly development and in order to give benefits of Mopa Airport to these villagers, and for securing the orderly establishment of the

Mopa Greenfield International Airport and for that matter to provide for speedy issuance of various licenses, clearances and Certificates required for setting up of the Mopa Greenfield International Airport, infrastructural facilities, developmental work and upgradation of existing infrastructural facilities connected with or relating to Mopa Greenfield International Airport project and for purposes connected therewith and incidental thereto.

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

1. *Short title, commencement and application.*— (1) This Act may be called the Goa (Mopa Airport Development Authority) Act, 2018.

(2) It shall come into force at once.

(3) It applies to the Mopa Airport Area specified in the Schedule hereto and to such other areas, with effect from such date, as the Government may, by notification in the Official Gazette, specify.

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

(a) “Authority” means the Mopa Airport Development Authority constituted under section 3 of this Act;

(b) “Chairperson” means the Chairperson of the Authority;

(c) “Clearances” means no objection certificates, consents, approvals, permissions, sanads, registrations, enrollments, licences and the like, required under the relevant law in connection with setting up of the Mopa Greenfield International Airport, infrastructural facilities, developmental work and upgradation of existing infrastructural facilities connected with or relating to Mopa Greenfield International Airport project;



(c) “Competent Authority” means any Department or agency of the Government, authorized Agency, statutory authority or body, village panchayat, municipality or municipal corporation or other local body or any other authority or committee which is entrusted with the powers and responsibilities to grant or issue clearances;

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

(e) “Mopa Airport Area” means the Mopa Airport Area as specified in the Schedule hereto;

(f) “Mopa International Airport Planning Area” means the area declared as the Mopa International Airport Planning Area under sub-sections (1) and (2) of section 18 of the Goa, Daman and Diu Town and Country Planning Act, 1975 (Act 21 of 1975);

(g) “notification” means a notification published in the Official Gazette of the Government of Goa;

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

(i) “relevant law” means the State law and the rules, regulations, notifications and orders framed/issued thereunder;

(j) “Schedule” means a Schedule appended to this Act.

3. *Constitution of Authority.*— The Government may, by notification in the Official Gazette, constitute an Authority, to be known as the Mopa Airport Development Authority, to exercise the powers conferred on, and to perform the functions assigned to it, by or under this Act.

4. *Composition of Authority.*— The Authority shall consist of a Chairperson to be appointed by the Government and the following members, namely:—

- |   |                   |
|---|-------------------|
| (i) Secretary (Civil Aviation)...                       | member.           |
| (ii) Secretary (Revenue)...                             | member.           |
| (iii) Secretary (Town and Country Planning)...          | member.           |
| (iv) Secretary (Urban Development)...                   | member.           |
| (v) Secretary (Panchayats)...                           | member.           |
| (vi) Chief Town Planner (Planning)...                   | member.           |
| (vii) Principal Chief Conservator of Forests...         | member.           |
| (viii) Director of Health Services...                   | member.           |
| (ix) Member Secretary of Goa Pollution Control Board... | member.           |
| (x) Director of Fire and Emergency Services...          | member.           |
| (xi) Director of Civil Aviation...                      | member secretary. |

5. *Authentication.*— All orders and decisions of the Authority shall be authenticated by signatures of the Member Secretary of the Authority.

6. *Powers and functions of the Authority.*— The Authority shall exercise the following powers and perform the following functions, namely:—

(i) to meet at such times and places as the Chairperson may decide and shall transact the business as per the procedure as he deems fit;

(ii) to receive proposals for clearance and give acknowledgement thereof;

(iii) to advise the Government from time to time;

(iv) exercise the powers of the Planning and Development Authority under the Goa, Daman and Diu Town and Country Planning Act, 1975 (Act 21 of 1975), a municipality under the Goa Municipality Act, 1968 or the Village Panchayat under the Goa Panchayat Raj Act, 1994 as the case may be in respect of the Mopa International Airport Planning Area;

(v) exercise all the powers, which are otherwise vested in the Competent

Authority under the relevant law or rules, regulation, bye laws, notifications issued thereunder so as to give clearances for development of the Mopa Greenfield International Airport.

(vi) the Authority shall exercise such other powers and functions as may be prescribed.

7. *Miscellaneous provisions.*— (1) Notwithstanding anything contained in the Goa, Daman and Diu Town and Country Planning Act, 1975 (Act 21 of 1975), for the Mopa International Airport Planning Area, the Authority shall be deemed to be a Planning and Development Authority under the said Act.

(2) This Authority shall also be a deemed Panchayat having all powers under the Goa Panchayat Raj Act, 1994 and a deemed Municipality under the Goa Municipality Act, 1968 with all powers thereof.

(3) Notwithstanding anything contained in any relevant law for the time being in force, once a proposal is cleared, and a clearance or permission is granted by the Authority under this Act, then no other clearance shall be required from any Competent Authority or any other authority under the provisions of any such relevant law.

8. *Staff of Authority.*— (1) The Government shall provide the Authority with such officers and employees as it may deem fit.

(2) The officers and employees of the Authority shall discharge their functions under the general superintendence of the Chairperson.

(3) The salaries, allowances and other conditions of service of such officers and employees of the Authority shall be such as may be prescribed.

9. *Members, etc., to be public servants.*— The Chairperson, Members, officers and

employees of the Authority shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

10. *Act to override other laws.*— The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other State law, rules, regulations of any authorities in force, orders, decrees, notifications, statutes, bye-laws for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.

11. *Appeals.*— Any person aggrieved by a decision of the Authority under this Act, may, within a period of thirty days from the date of such decision, prefer an appeal to the High Court.

12. *Civil court not to have jurisdiction.*— No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the High Court is empowered by or under this Act to determine and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

13. *Protection of action taken in good faith.*— No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule made hereunder.

14. *Savings.*— The provisions of this Act shall not apply to any clearances required under Central enactments.

15. *Power to give directions.*— The Government may give direction to any Government Department or Agency, Authority, local authority or other authority or any person, under this Act with regard to the setting up of the Mopa Greenfield International Airport, infrastructural facilities, developmental work and upgradation of

existing infrastructural facilities connected with or relating to the Mopa Greenfield International Airport project and such Government Department or Agency, Authority, local authority or other authority or person shall be bound to comply with such directions.

16. *Power to make rules.*— The Government may, by notification make rules for carrying out all or any of the provisions of this Act.

17. *Power to remove doubts and difficulties.*— (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made be laid before the State Legislature.

#### SCHEDULE

All that Mopa Airport Area admeasuring 2136 acres comprising of parts of the areas of villages of Mopa, Varconda, Casarvarnem, Chandel, Uguem and Amberem, delineated in the plan appended hereto and bounded as under:—

*North:* By Survey Numbers 22/8 to 16, 25/1 to 14, 31/9, 31/15 to 18, 32/1 to 4, 34/25, 34/27, 35/3, 35/15, 33/1, 33/2, 33/6 to 12, 33/16, 33/17, 40/6 to 10 of Uguem Village and Survey Numbers 70, 105/4, 105/6, 105/8 to 11, 106/1, 106/18, 106/36, 106/41 of Mopa Village and Maharashtra State:

*South:* By Survey Numbers 36, 37, 38, 45, 46, 47, 50/7, 61, 66, 67/1, 70/1 to 6, 70/9, 70/10, 70/13, 70/16, 70/17, 85/1 to 5, 87, 88, 89, 90, 91, 92, 93, 94, 102, 104/1, 104/3, 104/5, 104/6, 104/8, 104/18, 104/39, 108/1, 109/1, 112, 114/3, 114/4, 115/3, 115/5, 115/6, 117/1, 118/3, 118/4, 118/6, 118/7 and 127 of Varconda Village and Survey Numbers 205, 223, 218/1, 220/4, 222/3, 222/4, 222/6, 225/1 and 2, 226, 236/1 and 2, 237/3, 238/6, 238/8, 238/10, 238/12, 264/4 and 5, 266/1 and 277 of Casarvornem village;

*East:* By Survey Number 19, 21/10 and 35/5 of Chandel Village;

*West:* By Survey Numbers 34/1 and 2, 38/3 and 4 of Amberem village.



The object is to secure orderly development of Mopa Greenfield International Airport with state of the art infrastructure facilities to provide better commutation facilities to the residents of Goa, tourists visiting Goa from within India and overseas. It will secure the welfare of the villagers adjoining Mopa Airport for their orderly development and give benefits of Mopa Airport to these villagers. The Mopa Airport project is spread over village pachayat areas of villages of Mopa, Varconda, Casarvornem, Chandel, Uguem and Amberem in Pernem taluka. As per the Concession Agreement signed between the Government of Goa and the GMR Goa International Airport Limited (Concessionaire), the Concessionaire is required to implement the project in a phased manner and the first phase has to be completed within 3 years. Further, development of various other infrastructure facilities like maintenance, repair and overhaul (MRO), City Side Development, etc., is also required to be done by the Concessionaire. In order to develop the project in a time bound manner with all required permissions and obligations as per the Concession Agreement it is felt necessary to constitute Mopa Airport Development Authority as single window mechanism fully empowered and equipped with technical and administrative potential.

This Bill seeks to achieve the above Objects.

## FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of Mopa Airport Development Authority. Further, the Clause 8 of the Bill provides for staff of the Authority.

The amount of financial implications towards constitution and functioning of the proposed Authority including cost of staffing, office exigencies etc. cannot be quantified at this stage.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1 (3) of the Bill empowers the Government to issue notification for extending provisions of the Act for other areas.

Clause 3 of the Bill empowers the Government to issue notification to constitute an Authority, to be known as the Mopa Airport Development Authority.

Clause 6 (vi) of the Bill empowers the Government to frame rules for other powers and function to be exercised by the Authority.

Clause 8 (3) of the Bill empowers the Government to frame rules for prescribing the salaries, allowances and other conditions of service of officers and employees of the Authority.

Clause 16 of the Bill empowers the Government to make rules for carrying out all or any of the provisions of the Act.

Clause 17 of the Bill empowers the Government to issue order for removing any difficulty which arises in giving effect to the provision of the Act.

These delegations are of normal character.

Porvorim-Goa. (Shri MANOHAR PARRIKAR)  
30th July, 2018. Chief Minister/  
/Minister of Civil Aviation.

Assembly Hall, (Shri NILKANT SUBHEDAR)  
Porvorim-Goa. Secretary to the  
30th July, 2018. Legislative Assembly of Goa.

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

In pursuance of Article 207 of the Constitution of India, I, Smt. Mridula Sinha, the Governor of Goa, hereby recommend to the Legislative Assembly of Goa, the introduction and consideration of the the Goa (Mopa Airport Development Authority) Bill, 2018.

RAJ BHAVAN.  
Date: 30-7-2018.

MRIDULA SINHA,  
Governor of Goa.

◆◆◆

Department of Industries

**Notification**

1/18/2017-IND/268

SUB.:- CAPITAL SUBSIDY SCHEME, 2017.

1. *Short title and commencement.*— 1.1 The Government of Goa is pleased to frame the "Capital Subsidy Scheme, 2017" to provide financial assistance to the enterprises in the State of Goa. This scheme shall be governed by the Goa State Incentives to Encourage Investments Scheme, 2017. This scheme shall come in force with effect from 1st October, 2017 and shall remain in force upto 30th September, 2022.

2. *Objectives.*— 2.1 To support industrial development in the State of Goa.

2.2 To facilitate up-gradation of existing industries.

2.3 To make the business financially viable and attractive to small industries.

3. *Eligibility.*— 3.1 All micro and small scale manufacturing units falling under white, green and orange category shall be eligible.

3.2 All manufacturing units which have commenced commercial production after 1-10-2017 shall be eligible.

3.3 All units which carry out substantial expansion after 1-10-2017 as defined in the umbrella scheme shall be eligible.

3.4 The units which have availed of Chief Minister Rojgar Yojana (CMRY) Scheme or any scheme of Government of India/Government of Goa wherein capital subsidy is granted shall not be eligible for benefits under this scheme.

3.5 The units which are taking or have taken any benefit under the Information

Technology Investment Policy of the Department of Information Technology, Government of Goa shall not be eligible for benefits under this scheme.

3.6 This scheme shall not be applicable to cases which have claimed similar benefit under any other scheme/program of Government of Goa.

4. *Nature of Benefit.*— 4.1 A capital subsidy of 30% of the cost of capital subject to a ceiling of Rs. 10 lakh for micro units, provided the subsidy on building/office is restricted to Rs. 5 lakh; shall be granted under this scheme.

4.2 A capital subsidy of 30% of the cost of capital subject to a ceiling of Rs. 20 lakh for small units provided the subsidy on building/office is restricted to Rs. 10 lakh shall be granted under this scheme.

4.3 For the purpose of this scheme, the cost of capital shall include the cost of:-

- (i) All plant and machinery installed in the unit;
- (ii) Information and Communication Technology (ICT) equipment required to operate the machinery;
- (iii) Office and Factory premises.

4.4 However, the cost of land, pre-operative expenses, office equipment, ICT equipment for office use, all types of furniture and ERP software shall not be included while calculating the cost of capital.

4.5 For units which have commenced commercial production after 1-10-2017, the eligible purchases made before 1-10-2017 will be considered for calculation of cost of capital subject to Chartered Accountant certification that such purchases have been utilized for the project under claim.

4.6 The benefits under this scheme are subjected to budgetary allocation. No Promisory Estoppel shall be applicable if benefits are discontinued in case allocation is exceeded.

5. *Procedure for Filing Claims.*— 5.1 The benefits sanctioned under this scheme shall be disbursed in two equal installments.

5.2 The units shall be required to make separate applications for release of each eligible installment.

5.3 The eligible units shall apply for capital subsidy within one year of the date of commencement of commercial production.

5.4. *Release of 1st installment:* The first installment of subsidy i.e. 50% of the total sanctioned amount shall be released to the applicant after the recommendation of the Task Force Committee.

5.5 *Release of 2nd installment:* After completion of two years from the date of commencement of commercial production, the eligible functioning units shall apply in the specified proforma to the Directorate of Industries, Trade & Commerce along with documents as specified.

6. *Procedure to file Claims.*— 6.1 The eligible units shall apply in the specified proforma to the Directorate of Industries, Trade and Commerce (DITC) along with the following documents:

- (i) A self-attested copy of registration under Umbrella Scheme;
- (ii) A self-declaration in the format provided;
- (iii) Relevant Invoices and Receipts to support the claim amount;
- (iv) A certificate from a Chartered Accountant certifying the investment as per requirement of the scheme.
- (v) A certificate from a Chartered Accountant certifying that the unit has not availed any incentive from Department of Information Technology, Government of Goa.
- (vi) A Chartered Accountant certificate certifying that no other claim for similar benefit has been made under any other scheme/program of Government of Goa.

6.2 *For Second Installment:*

An application with:

- (i) Audited balance sheets of above referred two years;
- (ii) Income tax returns of above referred two years;
- (iii) GST Returns of two years/ROC returns (if applicable).

This has been issued with the concurrence of the Finance (Expenditure) Department vide U.O. No. 1400044922 dated 21-06-2018.

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Industries).  
Porvorim, 27th July, 2018.

## Department of Personnel

**Notification**

1/15/85-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Government Notification No. 1/6/79-PER dated 10-2-1992, published in the Official Gazette, Series I No. 48 dated 27-2-1992, the Governor of Goa hereby makes the following rules to regulate the recruitment to Group 'A', Gazetted post in the Directorate of Tourism, Government of Goa, namely:—

1. *Short title, application and commencement.*— (1) These rules may be called the Government of Goa, Directorate of Tourism, Group 'A', Gazetted post, Recruitment Rules, 2018.

(2) They shall apply to the post specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and level in the pay matrix.*— The number of posts, classification of the said post and level in the pay matrix attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts as specified in column (2) of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the said post, age limit, qualifications and other matters connected

therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where, the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

These rules are issued in consultation with the Goa Public Service Commission conveyed vide their letter No. COM/II/13/48(2)/91/368 dated 22-6-2018.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Additional Secretary (Personnel).

Porvorim, 10th July, 2018.

SCHEDULE

1	2	3	4	5	6	7	8	9	10	11	12	13
Name/ /design- nation of the post	Number of posts	Classifi- cation	Level in the Pay Matrix	Whether selection post or non- -selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment, whether by direct recruitment or by promotion/ /transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruit- ment by promotion/ /deputation/ /transfer, grades from which promotion/ /deputation/ /transfer is to be made	If a D.P.C. exists, what is its compo- sition	Circum- stances in which the Goa Public Service Commission is to be consulted in making recruitment
Deputy Director of Tourism. (Subject to variation depen- dent on workload).	04	Goa General Service, Group 'A', variation Gazetted.	L-10.	Selec- tion.	N. A.	N. A.	N. A.	Two years.	By promotion, failing which, by transfer on deputation.	<i>Promotion:</i> Assistant Director of Tourism with three years of regular service in the grade.  <i>Transfer on deputation:</i> Official holding analogous post under the State/ G o v e r n m e n t / Union Territories.	Group 'A', D.P.C. consisting of: (i) Chairman/ /Member, Goa Public Service Commission --Chairman. (ii) Chief Secretary or his nominee --Member. (iii) Administra- tive Secretary/ /Head of Department --Member. (For promotion only).	Con- sultation with the Goa Public Service Com- mis- sion is nece- sary while making promo- tion, select- ing an official for appoint- ment on transfer on deputa- tion and for amend- ing/ relaxing any of the provi- sions of these Rules.

**Notification**

1/7/2014-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Government Notification No. 1/9/2005-PER dated 22-4-2010, published in the Official Gazette, Series I No. 7 dated 13-5-2010, the Governor of Goa hereby makes the following rules to regulate the recruitment to Group 'B', Gazetted, Non-Ministerial post in the Institute of Psychiatry and Human Behaviour, Government of Goa, namely:—

1. *Short title, application and commencement.*— (1) These rules may be called the Government of Goa, Institute of Psychiatry and Human Behaviour, Group 'B', Gazetted, Non-Ministerial post, Recruitment Rules, 2018.

(2) They shall apply to the post specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and level in the pay matrix.*— The number of posts, classification of the said post and level in the pay matrix attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts as specified in column (2) of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the said post, age limit, qualifications and other matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where, the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

These rules are issued in consultation with the Goa Public Service Commission conveyed vide their letter No. COM/I/13/35(3)/2008/357 dated 19-6-2018.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Additional Secretary (Personnel).

Porvorim, 11th July, 2018.



SCHEDULE

1	2	3	4	5	6	7	8	9	10	11	12	13
Psychiatric Social Worker.	03 (2018) (Subject to variation dependent on workload).	Goa General Service Group 'B', Gazetted Non-Ministerial.	L-6.	N.A.	Not exceeding 45 years (Relaxable for Government servants upto five years in accordance with the orders or instructions issued by the Government from time to time).	Essential: (1) Master's Degree in Social Work from a recognised University, either in Medical and Psychiatry or in Family and Child Welfare. (2) Two years experience in Social Work (either in Medical and Psychiatry or in Family and Child Welfare). (3) Knowledge of Konkani. <i>Note:</i> In case of non-availability of suitable candidates with knowledge of Konkani for the posts in professional colleges, Consultants in Directorate of Health Services and highly Technical/scientific posts, the Goa Public Service Commission may recommend a candidate if otherwise found fit and this requirement can be relaxed by the Government, on the recommendation of the Goa Public Service Commission, if the Government is of the opinion	N.A.	Two years.	By direct recruitment	N.A.	Group 'B', D.P.C. consisting of: (i) Chairman/Member, Goa Public Service Commission --Chairman. (ii) Chief Secretary or his nominee --Member. (iii) Administrative Secretary/Head of Department --Member. (For confirmation only).	Consultation with the Goa Public Service Commission is necessary for making direct recruitment, confirmation and for amending/relaxing any of the provisions of these Rules.
						Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment, whether by direct recruitment or by promotion or by deputation/transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D.P.C. exists, what is its composition	Circumstances in which the Goa Public Service Commission is to be consulted in making recruitment

1 2 3 4 5 6 7 8 9 10 11 12 13

that it is necessary or expedient so to do.

*Desirable:*

(i) Master of Philosophy in Psychiatric Social Work.

(ii) Knowledge of Marathi.

[www.goaprintingpress.gov.in](http://www.goaprintingpress.gov.in)

Printed and Published by the Director, Printing & Stationery,  
Government Printing Press,  
Mahatma Gandhi Road, Panaji-Goa 403 001.

**PRICE – Rs. 34.00**

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA—138/150—8/2018.