

The Goa, Daman and Diu Registration of Tourist Trade Act, 1982 and Rules 1985

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1. **The Goa, Daman and Diu Registration of Tourist Trade Act, 1982** (Act No. 10 of 1982) (14-11-1982) published in the Official Gazette, Series I No. 36 dated 2-12-1982 and came into force w.e.f. 01-04-1985.
2. **The Goa Registration of Tourist Trade (Amendment) Act, 1988** (Act No. 10 of 1988) (21-05-1988) published in the Official Gazette, Series I No. 8 dated 27-05-1988 and came into force at once.
3. **The Goa Registration of Tourist Trade (Amendment) Act, 2001** (Act No. 60 of 2001) (04-09-2001) published in the Official Gazette, Series I No. 25 (Extraordinary) dated 25-09-2001.
4. **The Goa, Daman and Diu Registration of Tourist Trade (Amendment) Act, 2011** (Act No. 7 of 2011) (10-6-2011) published in the Official Gazette, Series I No. 11 dated 16-6-2011.
5. **The Goa, Daman and Diu Registration of Tourist Trade Rules, 1985** and it came into force at once.

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GOVERNMENT OF GOA, DAMAN AND DIU
Law Department (Legal Advice)

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Notification

LD/5/17/82 (D)

The following Act which was passed by the Legislative Assembly of Goa, Daman and Diu on the 28th day of July, 1982 and assented to by the Administrator on the 14th November, 1982 is hereby published for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 23rd November, 1982.

—————
The Goa, Daman and Diu Registration of Tourist Trade Act, 1982

(Act No. 10 of 1982)

AN

ACT

to provide for the registration of persons dealing with tourists and for matters connected therewith.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-third Year of the Republic of India as follows:

CHAPTER I

Preliminary

1. Short title, extent and commencement.— (1) This Act may be called the Goa, Daman and Diu Registration of Tourist Trade Act, 1982.

(2) It shall extend to the whole of the Union territory of Goa, Daman and Diu.

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

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

¹[(a) ‘adventure sports operator’ means a person operating adventure sports, such as, aero sports, go-carting, bungee jumping, wind surfing, paragliding, hot air balloon etc.];

(aa) ‘boat’ includes a house-boat, motor-boat, motor launch, pedal boat, sailing boat ²[parasailing and canoe];

¹ Clauses (a) and (aa) is re-numbered as clauses (aa) and (aaa) respectively and clause (a) is inserted by Amendment Act 7 of 2011 published in the Official Gazette, Series I No. 11 dated 16-6-2011.

² Inserted by the Amendment Act 7 of 2011.

³[(aaa) 'beach shack' means a purely temporary stall on such material, size and design and for such activities on the beach as the Government may, by notification in the Official Gazette, specify;]

(b) 'certificate' means a certificate of registration issued under any of the provisions of this Act;

⁴[(bb) 'chair' means chair made up of wood/steel/plastic or standard size;]

⁵[(c) 'dealer' means a person carrying on in a tourist area the business of selling any notified articles, whether wholesale or retail, and whose stocks/turnover of the said notified articles exceeds 50% of their total stocks/turnover, and includes his agent or employee transacting business on his behalf;]

⁶[(cc) 'deckbed' means bed made up of wood/steel/plastic, of size 6' x 3', with or without mattress;]

(d) 'Government' means the Government of Goa, Daman and Diu;

(e) 'hotel' includes any premises or part of premises including a house-boat, restaurant, bar or a tent where lodging with or without board or any kind of eatables or beverages is provided for a monetary consideration;

(f) 'hotel-keeper' includes any person who owns or operates a hotel as proprietor and includes a person managing or operating the affairs of a hotel for and on behalf of the proprietor;

(g) 'malpractice' includes cheating, touting, impersonation, obstruction in allowing free choice for shopping or stay or travel management, charging a price higher than that displayed on the label or remuneration higher than that fixed under this Act, failure to display price label on the articles, ⁷[operation of water sports by a water sports operator without Certificate of Registration or without safety equipment on the vessel, charging of more fees by the tourist taxi operator than the one specified for the purpose] failure to give cash memos and wilful failure to execute an order within the stipulated time and according to the terms agreed.

Explanation 1.— For the purposes of this clause, labelled price (the price displayed on the label on the article) shall be the reasonable price as may be fixed by the prescribed authority.

⁸[**Explanation 2.**— The expression 'touting' means coercing for shopping, accommodation, transportation, sightseeing or pestering for any particular premises, person, establishment, manufacturer, vending, hawking, massaging on the beach or any other service connected with tourism with consideration of personal benefit;]

³ Inserted by the Amendment Act 60 of 2001.

⁴ Inserted by the Amendment Act 60 of 2001.

⁵ Substituted by the Amendment Act 10 of 1988.

⁶ Inserted by the Amendment Act 60 of 2001.

⁷ Inserted by the Amendment Act 7 of 2011.

⁸ Substituted by the Amendment Act 60 of 2001.

(h) 'notified article' means any article notified by the Government in the Official Gazette for the purposes of this Act;

(i) 'prescribed' means prescribed by rules made under this Act;

(j) 'prescribed authority' means the authority notified as such by the Government, provided that different authorities may be notified for different provisions of this Act;

⁹[(jj) 'spice plantation' means a place where tourists visit and can get first hand information and view of spice plants/trees on payment of monetary consideration.

(jjj) 'tourist taxi operator' means a person or firm operating motor vehicles for tourists on rental basis and for which permission has been granted by the Transport Department];

(k) 'tourist area' means any area notified by the Government in the Official Gazette to be a tourist area for the purposes of this Act;

¹⁰[(kk) 'tourist season with reference to shack' means the period commencing on the first day of October or the calendar year and ending on the fifteenth day of June of the following calendar year];

¹¹[(kkk) 'tour operator' means a person or a firm operating or conducting sight seeing or individual tours to the tourists for which licence has been issued by the Transport Department];

(l) 'tourist' means a person or group of persons, including pilgrims, visiting the Union territory of Goa, Daman and Diu from any part of India or outside India;

(m) 'travel agent' means a person engaged in the business of making travel, camping, tour operating or other travel arrangements for tourists for a monetary consideration and includes a tourist guide, excursion agent, tent and camping agent or tour operator;

(n) 'travel arrangements' include —

(a) arrangements for transportation, sight seeing;

(b) arrangements for lodging with or without food; and

(c) rendering other services, such as assistance for game, sports or receipt or despatch of personal belongings of a tourist.

¹²[(nn) 'water sports operator' means a person operating boats/parasailing/ /jetskii/kayaking/canoeing/rafting/scuba diving, etc., to tourists and includes water sports equipment dealer];

¹³[(o) 'umbrella' means umbrella made up of wood/steel pole with nylon or cotton cloth top.]

⁹ Inserted by the Amendment Act 7 of 2011.

¹⁰ Inserted by the Amendment Act 60 of 2001.

¹¹ Inserted by the Amendment Act 7 of 2011.

¹² Inserted by the Amendment Act 7 of 2011.

¹³ Inserted by the Amendment Act 60 of 2001.

CHAPTER II

Registration of Dealers

3. Registration.— (1) Every person intending to carry on business of a dealer under this Act shall, before he commences such business, apply for registration to the prescribed authority in the prescribed manner:

Provided that nothing in this sub-section shall apply to the sale of notified articles in fairs and temporary markets organised during festivals.

(2) Notwithstanding anything contained in sub-section (1), any person already carrying on business of selling any notified article in a tourist area on the date such article is notified under clause (h) of section 2 shall apply for registration under this Act within three months from the aforesaid date.

(3) Every application made under sub-section (1) shall be disposed off within a period of three months from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.

4. Certificate of Registration.— The prescribed authority shall, unless registration is refused under section 5, direct that the name and the particulars of the dealer be entered in the register maintained for the purpose and shall issue a certificate to the dealer in the prescribed form within a period of three months from the date of the receipt of the application.

5. Refusal to register.— (1) The prescribed authority may refuse to register a dealer under this Act on any of the following grounds, namely:—

(a) if he is convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food and drugs or corruption and two years have not elapsed since the termination of the sentence imposed upon him; Central Act
45 of 1860.

(b) if he has been declared insolvent by a Court of competent jurisdiction and has not been discharged;

(c) if his name has been removed from the register under clause (c) clause (d) of section 6 and three months have not elapsed since the date of removal;

(d) if in the opinion of the prescribed authority there is sufficient ground to be recorded in writing, for refusing registration.

(2) No application for registration shall be refused unless the person applying for registration has been afforded a reasonable opportunity of being heard.

6. Removal of the name from the Register.— (1) The prescribed authority may after affording a reasonable opportunity of being heard, by an order in writing, remove the name of a dealer from the register and cancel his certificate on any of the following grounds, namely:—

(a) if he ceases to be a dealer;

(b) if he is convicted of any offence under Chapter XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption; Central Act
45 of 1860..

(c) if he is declared an insolvent by a Court of competent jurisdiction and has not been discharged;

(d) if any complaint of malpractice is received and proved against him.

(2) Any dealer whose name is removed from the register under sub-section (1) shall forthwith cease to be a dealer.

CHAPTER III

Registration of Hotels

7. Registration.— (1) Every person intending to operate a hotel in a tourist area shall, before operating it, apply for registration to the prescribed authority in the prescribed manner.

(2) Notwithstanding anything contained in sub-section (1), any person already operating a hotel in a tourist area on the date of notification under clause (k) of section 2, shall apply for registration within three months from the aforesaid date.

(3) Every application made under sub-section (1) shall be disposed off within a period of three months from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.

8. Certificate of registration.— The prescribed authority shall, unless registration is refused under section 9, direct that the name and the particulars of the hotel and the hotel-keeper be entered in the register maintained for the purpose and shall issue a certificate to the hotel-keeper in the prescribed form.

9. Refusal to register a hotel.— (1) The prescribed authority may refuse to register a hotel under this Act on any of the following grounds, namely:—

(a) if the hotel-keeper is convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption and two years have not elapsed since the termination of the sentence imposed upon him; Central Act
45 of 1860.

(b) if the hotel-keeper has been declared an insolvent by a Court of competent jurisdiction and has not been discharged;

(c) if the name of the hotel-keeper has been removed from the register under clause (c) or clause (d) of section 10 and three months have not elapsed since the date of removal;

(d) if the hotel-keeper does not hold a licence or certificate required to be held by him under any law for the time being in force;

(e) if in the opinion of the prescribed authority there is sufficient ground, to be recorded in writing, for refusing registration.

(2) No application for registration shall be refused unless the person applying for registration has been afforded a reasonable opportunity of being heard.

10. Removal of the name from the Register.— (1) The prescribed authority may, after giving an opportunity of being heard by an order in writing, remove the name of a hotel from the register and cancel its certificate on any of the following grounds, namely:—

(a) if the hotel-keeper ceases to operate the hotel in the tourist area for which it is registered;

(b) if the hotel-keeper is convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption;

Central Act
45 of 1860.

(c) if the hotel-keeper is declared an insolvent by a Court of competent jurisdiction and has not been discharged;

(d) if any complaint of malpractice is received and proved against a hotel-keeper.

¹⁴[(e) if the hotel-keeper has failed to renew the certificate within a period of one month from the date of its expiry].

¹⁵[**10A. Closure of hotel.**— If the holder of a certificate issued under section 8 of this Act intends to close down his business in the premises during the period of validity of the certificate, he shall inform the same to the prescribed authority in writing at least fifteen days prior to the date on which he actually intends to close down the business alongwith original certificate].

(2) Any hotel the name of which is removed from the register under sub-section (1) shall forthwith cease to operate.

11. Classification of hotels and fixation of rates.— The prescribed authority may after following the procedure as may be prescribed and after giving an opportunity of being heard to the hotel-keeper, by notification in the Official Gazette, classify the hotels and award a grade to each hotel and also fix the reasonable maximum rate and the service charges, if any, commensurate with the standard of the hotel and the quality of food, accommodation and service, which may be charged by the hotel-keeper for board or lodge or for both from the person staying therein or from other customers:

Provided that nothing in this section shall apply to the hotels which are classified or graded by the Government of India or any board or authority under the Government of India or by or under an Act of Parliament.

¹⁴ Inserted by the Amendment Act 7 of 2011.

¹⁵ Inserted by the Amendment Act 7 of 2011.

12. Hotel-keeper to display information.— Every hotel-keeper shall cause to be displayed at some conspicuous place of the hotel, such information as may be prescribed.

13. Hotel-keeper to present detailed bill.— Every hotel-keeper shall render detailed bills to the persons residing in the hotel and other customers and shall give receipts in acknowledgment of all payments.

¹⁶[**13A. Licensing of beach shacks.**— (1) Before commencement of the tourist season, the prescribed authority shall, through a public notice issued in the local newspapers, call for applications for installation of beach shacks, on such beaches as may be notified by the Government, from persons who are not employed or engaged, directly or indirectly, in any business, vocation or profession, such as tourist taxis, hotels, bars or restaurants, sale of handicrafts, souvenirs, toddy tapping, fishing or any other form of business not so specified.

(2) On receipt of such applications, the prescribed authority shall scrutinize the applications, and if found in order, grant necessary license by charging prescribed fees and on such terms and conditions as may be specified in this behalf.

(3) Where the number of eligible applicants are more than the number of beach shacks permitted on any particular beach, the selection shall be decided by draw of lots on such date and at such time as the prescribed authority may notify in this behalf.

(4) License shall be granted for putting up only one beach shack to a member of the family.

(5) Any person intending to erect a beach shack in private property shall, before he erects such shack, apply for registration to the prescribed authority in the prescribed manner.

Explanation.— For the purpose of this section, “family” shall include husband or wife, as the case may be, dependent parents and unmarried children, provided they figure in the same ration card as the applicant.

13B. Licences for deckbeds, umbrellas and chairs.— (1) Licences for putting up deckbeds, umbrellas and chairs on such beaches as the Government may, by notification in the Official Gazette, specify, shall be granted by the prescribed authority by charging prescribed fees.

(2) Number of deckbeds, umbrellas and chairs on the beach shall be as determined by the Government from time to time by notification in the Official Gazette.

(3) Deckbeds/umbrellas/chairs put up on the beaches notified under sub-section (1), shall be removed during the night time by 6.00 p.m.]

CHAPTER IV

Travel Agents

14. Registration.— (1) No person shall carry on the business of a travel agent unless he is registered in accordance with the provisions of this Act.

¹⁶ Inserted by the Amendment Act 60 of 2001.

(2) Every person intending to act as a travel agent shall, before he commences to act as such, apply for registration to the prescribed authority in the prescribed manner.

(3) Notwithstanding anything contained in sub-section (2), any person already engaged in the business as a travel agent, shall apply for registration within three months from the date of commencement of this Act.

(4) Every application made under sub-section (2) shall be disposed off within a period of three months from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.

15. Certificate.— The prescribed authority shall, unless registration is refused under section 16, direct that the name and particulars of the travel agent be entered in the register maintained for the purpose and issue a certificate to the travel agent in the prescribed form.

16. Refusal to register.— (1) The prescribed authority may refuse to register a travel agent under this Act on any of the following grounds, namely:—

(a) if he does not possess any of the prescribed qualifications;

(b) if he has been convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption and two years have not elapsed since the termination of the sentence imposed upon him;

Central Act
45 of 1860.

(c) if he has been declared an insolvent by a Court of competent jurisdiction and has not been discharged;

(d) if his name has been removed from the register under clause (c) or clause (d) of section 17 and three months have not elapsed from the date of removal;

(e) if in the opinion of the prescribed authority there is sufficient ground, to be recorded in writing, for refusing registration.

(2) No application for registration shall be refused unless the person applying for registration has been afforded a reasonable opportunity of being heard.

17. Removal of the name from the register.— (1) The prescribed authority may, after giving an opportunity of being heard, by an order in writing, remove the name of a travel agent, from the register and cancel his certificate on any of the following grounds namely:—

(a) if he ceases to act as a travel agent;

(b) if he is convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption;

Central Act
45 of 1860

(c) if he is declared an insolvent by a Court of competent jurisdiction and has not been discharged;

(d) if any complaint of malpractice is received and proved against him.

¹⁷[(e) if the travel agent has failed to renew the certificate issued under section 15 of this Act, within a period of one month from the date of its expiry].

(2) Any travel agent whose name is removed from the register under sub-section (1) shall forthwith cease to be a travel agent.

¹⁸[**17A. Restrictions on travel agent to function as recruiting agent.**— No travel agent registered under this Act shall commence or carry on any business of recruitment for an employer or by representing such employer with respect to any matter in relation to such recruitment including dealing with the persons so recruited or desiring to be recruited unless he/she has obtained a certificate from the registering authority under the Emigration Act, 1983 (Central Act 31 of 1983)].

18. Fixation of rates.— The prescribed authority may, by a notification in the Official Gazette, fix the reasonable maximum rates which may be charged by a travel agent for the service rendered by him to a person engaging him as such.

19. Travel agent not to demand tip, etc.— No travel agent shall demand any tip, gratuity, presents or commission other than that permissible under this Act from any persons engaging him or from any dealer selling notified article to any person or from any hotel-keeper in whose hotel such person resides or intends to reside.

¹⁹[CHAPTER IV-A

Registration of Tour Operators, Water Sports
and Adventure Sports Operators, etc.

19A. Registration.— (1) No person shall, in the tourist area, carry on the business of a tour operator, water sports operator, adventure sports operator, spice plantation or of providing temporary huts for the purpose of accommodation, unless he is registered in accordance with the provisions of this Act.

(2) Every person intending to start business under sub-section (1) shall apply for registration to the prescribed authority in the prescribed manner, alongwith prescribed fee.

(3) Notwithstanding anything contained in sub-section (2), any person already engaged in any of the business as specified under sub-section (1) shall apply for registration within three months from the date of commencement of the Goa Registration of Tourist Trade (Amendment) Act, 2011.

(4) Every application made under sub-sections (2) or (3) as the case may be, disposed off within a period of one month from the date of receipt of the application.

¹⁷ Inserted by the Amendment Act, 7 of 2011.

¹⁸ Inserted by the Amendment Act, 7 of 2011.

¹⁹ Inserted by the Amendment Act, 7 of 2011.

19B. Certificate.— The prescribed authority shall, unless registration is refused under section 19D, direct that the name and particulars of the person starting business as specified in sub-section (1) of section 19A, be entered in the register maintained for the purpose and issue a certificate to the person in the prescribed form subject to such terms and conditions and on payment of such fees as prescribed.

19C. Renewal of Certificate of Registration.— (1) The Certificate of Registration issued under section 19B shall be valid for a period of one year from the date of issue and shall be renewable before its expiry on payment of fees as prescribed.

19D. Refusal to register.— (1) The prescribed authority may refuse to register the business as specified in sub-section (1) of section 19A on any of the following grounds, namely:—

(a) if the applicant does not possess essential requirements or qualifications as prescribed;

(b) if he has been convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 (45 of 1860) or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling, profiteering, adulteration of food or drugs, or corruption and a period of two years have not elapsed since the termination of the sentence imposed upon him;

(c) if he has been declared as an insolvent by a Court of competent jurisdiction and has not been discharged;

(d) if registration is refused to him and a period of three months have not been elapsed from the date of refusal;

(e) if in the opinion of the prescribed authority there is sufficient ground to be recorded in writing, for refusing registration.

(2) No application for registration shall be refused unless the person applying for registration has been afforded a reasonable opportunity of being heard].

CHAPTER V

Appeal and Revision

20. Appeal.— (1) Subject to the provisions of sub-section (2), an appeal shall lie from every order of the prescribed authority under this Act to the appellate authority to be appointed by the Government.

(2) Every such appeal shall be preferred within ninety days from the date of communication of the order:

Provided that the appellate authority may entertain the appeal after the expiry of the said period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.

(3) The appellant shall have a right to be represented by a counsel or by a duly authorised agent and the prescribed authority may be represented by such officer or person as the prescribed authority may appoint.

(4) On receipt of any such appeal, the appellate authority shall, after giving the appellant a reasonable opportunity of being heard and after making such enquiry as it deems proper, pass such order as it may deem fit, after recording the reasons therefore.

21. Revision.— The Revisional Authority* to be appointed by the Government may, either on his own motion or on an application made by an aggrieved party, call for the record of any case disposed off by the appellate authority, for the purpose of satisfying itself as to the correctness, legality or propriety of any order passed by the appellate authority and pass such order thereon as it may deem fit and such order shall be final:

Provided that no such record shall be called for after the expiry of three months from the date of communication of the order:

Provided further that no order under this section shall be made to the prejudice of a person unless he has had a reasonable opportunity of being heard either personally or through a counsel or by a duly authorised agent.

CHAPTER VI

Offences and Penalties

²⁰**[22. Penalty for default in registration.**— (1) Any person carrying on the business of a dealer, hotel-keeper or ²¹[travel agent or as mentioned in sub-section (i) of section 19A] without proper registration under this Act or in violation of any of the provisions of this Act or the Rules made thereunder shall be punishable by the prescribed authority with fine which may extend to ²²[Rs. 1,00,000/-.

Explanation.— A person who has made an application for renewal of certificate before the date of its expiry and if the same is pending disposal then he shall not be a defaulter for the purposes of this section].

(2) Where the person on whom the penalty of fine is imposed under sub-section (1) does not within 30 days from the date of the order imposing such penalty, pay the fine imposed, then such person shall be liable to pay, by way of penal interest, a sum of :—

(a) Rs.100/- for each day for the first 30 days from the date of the expiry of the period of 30 days as aforesaid; and,

(b) Rs. 200/- for each day thereafter for a period of 15 days.

(3) In case of failure on the part of a dealer a hotel-keeper or travel agent to pay the fine imposed under sub-section (1) and/or penal interest under sub-section (2), the same shall be recovered as an arrears of land revenue, and the business shall be liable to be closed and the prescribed authority shall be at liberty to institute proceedings in the appropriate court of law for enforcing the closure of business.

(4) Any person erecting beach shack and/or carrying on activity therein without obtaining a license as required under section 13A of this Act, shall be punishable with fine which may extend to Rs.10,000/-, the beach shack shall be liable for demolition and the material thereof confiscated, without any prior notice, entirely at his risk and cost.

²⁰ Substituted by Amendment Act 60 of 2001.

²¹ Substituted by Amendment Act 7 of 2011.

²² Substituted by Amendment Act 7 of 2011.

(5) Any person erecting beach shack and/or carrying on activities therein without proper registration as required under section 13 A (5), shall be punishable with fine of Rs. 1,000/- which may extend to Rs. 5,000/-.]

23. Penalty for false statement.— If any person required to make a statement under this Act or the rules made thereunder wilfully makes a false statement or suppresses a material fact with an intention to mislead the prescribed authority, he shall be punishable by the prescribed authority with fine which may extend to Rs. 2,000/-.

24. Certificate not to be assigned.— Any person who lends, transfers or assigns the certificate issued under this Act, shall be punishable by the prescribed authority with fine which may extend to Rs. 2,000/-.

25. Certificate and documents to be shown to persons on demand.— (1) Any person registered under this Act, shall, at all times on demand, produce and show his certificate or any other document required under this Act or the Rules made thereunder to the prescribed authority or any officer authorised by him in this behalf.

(2) Any person who refuses on demand to show his certificate or document, or allow it to be read by any of the persons authorised to demand it, shall be punishable by the prescribed authority with fine not exceeding Rs. 500/-.

²³**[25A. Penalty for unauthorized sale, etc.**— Any person who indulges in selling any articles, materials, etc., in any tourist area, without any licence or permission under any law for the time being in force, then such articles, materials, goods, etc., shall be confiscated by the officials authorized by the Government and the same shall be returned only on payment of minimum fine of Rs.10,000/- which may extend to Rs. 25,000/-. In the event of non-payment of fine, such confiscated articles, materials, goods etc., shall be disposed of by a public auction and the proceeds thereof shall be deposited in the Government Treasury. An inventory of all the confiscated items shall be maintained by the official confiscating the same].

²⁴**[26. Penalty for malpractice.**— If any dealer, hotel-keeper, travel agent or any other person to whom this Act may be made applicable, commits a malpractice or contravenes any other provisions of this Act or the Rules made thereunder in a tourist area for which no specific penalty has been provided, he shall be liable for punishment with 3 months imprisonment or with minimum fine of Rs. 2000/- which may extend to Rs. 5,000/-. The offence under this section shall be cognizable, bailable and triable in summary manner.]

²⁵**[27. Obstructing lawful authorities.**— If any person wilfully obstructs or offers any resistance to, or otherwise interferes in the discharge of the functions of the prescribed authority or any officer authorized by him exercising any power, or performing any duties conferred or imposed upon it or him by or in pursuance of this Act or the Rules made thereunder, he shall be liable to punishment with imprisonment which may extend to three months or with a minimum fine of Rs. 500/- which may extend upto ²⁶[Rs. 10,000/-] or with both. The offence under this section shall be cognizable, bailable and triable in summary manner.]

²³ Inserted by the Amendment Act 7 of 2011.

²⁴ Substituted by the Amendment Act 60 of 2001.

²⁵ Substituted by the Amendment Act 60 of 2001.

²⁶ Substituted by the Amendment Act 7 Of 2011.

28. Penalty for subsequent breaches.— ²⁷[(1) Any person committing a breach of any of the provisions of the Act or the Rules made thereunder for which he has been once punished with fine by the prescribed authority under any of the provisions of this Chapter, shall be punishable with imprisonment which may extend to six months or with minimum fine of Rs. 1,000/- which may extend to ²⁸[Rs. 20,000/-] or with both. The offence under this section shall be cognizable, bailable and triable in summary manner.]

(2) No prosecution shall be instituted against any person for any offence under this Act except on a complaint made by the prescribed authority.

(3) Any fine imposed under this Chapter shall be recovered as if it were a fine recoverable under the provisions of the Code of Criminal Procedure, 1973. Central Act
45 of 1860.

29. Power of the prescribed authority to summon and enforce attendance of witnesses and other persons.— The prescribed authority shall have all the powers of a Civil Court, under the Civil Procedure Code, 1908 while hearing any application under this Act in respect of the following matters, namely:— Central Act
45 of 1860.

(a) summoning and enforcing attendance of the complainant or the person against whom complaint is made under this Act and witnesses required in connection therewith;

(b) compelling the production of any document, and

(c) examining witnesses on oath — and may summon and examine *suo moto* any person whose evidence appears to be material.

30. Composition of offences.— (1) Subject to such conditions as may be prescribed, the prescribed authority may accept from any person accused of an offence under this Act or the Rules made thereunder, other than an offence under section 27 of the Act, such sum of money, as may be prescribed, by way of composition for such offence and may, out of the money so received, compensate the person against whom the offence has been committed to the extent the prescribed authority deems reasonable.

(2) On the composition of the offence, no further proceeding in respect thereof shall lie.

CHAPTER VII

Miscellaneous

31. Notification of changes.— (1) Whenever a business, for which a certificate is held by a person, devolves, by inheritance or otherwise, upon any other person or undergoes a change in respect of any particulars entered in the register under this Act, such person shall, within sixty days of the date of such devolution or change, notify in writing, the fact to the prescribed authority.

²⁷ Substituted by the Amendment Act 60 of 2001.

²⁸ Substituted by the Amendment Act 7 of 2011.

(2) The prescribed authority shall make necessary changes in the register maintained for the purpose and in the certificate.

(3) Notwithstanding anything contained in sub-section (2), the prescribed authority may, after giving an opportunity of being heard, remove from the register, the name of the person in whose favour the certificate was issued and cancel the certificate if the successor is not qualified to be registered under this Act.

32. Return of certificate.— When a certificate is cancelled under this Act, the person holding such certificate shall within seven days from the date of communication of the order of cancellation return it to the prescribed authority.

33. Duplicate certificate.— If a certificate issued under this Act is lost, damaged or destroyed, the prescribed authority shall, on an application made in that behalf by the person holding such certificate and on payment of the prescribed fee, issue a duplicate certificate.

34. Certificate to be kept exhibited.— The Certificate shall be exhibited by the person holding it in a conspicuous place at the principal place of his business and if he has no place of business, he shall keep it on his person.

35. Publication of name of person removed from the register.— The prescribed authority shall publish in the Official Gazette and in such other manner it deems fit, the names and addresses of the persons and of the hotels whose names have been removed from the register or whose certificates have been cancelled or who have been refused registration under this Act.

36. Power to inspect.— The prescribed authority or any person authorised by him in this behalf may, within the tourist area, inspect at all reasonable times, the premises in which a dealer or a travel agent carries on his business or any premises where a hotel is operated and require such dealer, travel agent or a hotel-keeper to produce any document kept in pursuance of this Act or the Rules made thereunder for inspection.

37. Fixation of rates for other services.— The prescribed authority may, by a notification in the Official Gazette, fix the reasonable maximum rates which may be charged in a tourist area, for such other tourist service, as may be prescribed.

38. Powers of Government to apply Act to other persons.— The Government may, by notification in the Official Gazette, direct that all or any of the provisions of this Act or the Rules made thereunder shall, with such exceptions, adoptions or modifications as may be considered necessary, apply to persons doing the business of providing such tourist service in a tourist area as may be prescribed.

39. Powers and duties of Police in respect of offences and assistance to prescribed authority.— Every Police Officer shall give immediate information to the prescribed authority of an offence coming to his knowledge which has been committed against this Act or any rule made thereunder and shall assist the prescribed authority in the exercise of his lawful authority.

40. Indemnity.— No suit, prosecution or other legal proceedings whatsoever shall lie against the Government or any officer or employee of the Government in respect of anything which is in good faith done or intended to be under this Act.

41. Reservation of powers of local authority. — Nothing in this Act shall take away or diminish any of the powers vested in any local authority by or under any law for the time being in force.

42. Power to make rules.— (1) Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for —

- (a) the maintenance of registers, books and forms by a hotel-keeper, dealer or travel agent for conduct of business;
- (b) the form of application for registration and for certificate;
- (c) the fee for registration;
- (d) the manner for giving notices under this Act;
- (e) classification of hotels and travel agents;
- (f) qualification for registration as travel agents;
- (g) manner of publication of the names and address of the persons and of the hotels removed from the register or to whom registration has been refused;
- (h) the place where the prescribed authority shall hold enquiry under this Act; and
- (i) any other matter which is to be or may be prescribed.

(3) Every rule made under this Act shall be subject to the conditions of previous publication.

Secretariat,
Panaji-Goa,
Dated: 23rd November, 1982.

U. D. SHARMA,
Secretary to the
Government of Goa, Daman and Diu,
Law Department (Legal Advice)

Notification

5-16-81/WET

In exercise of the powers conferred by sub-section (3) of section 1 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (Act 10 of 1982), the Government of Goa, Daman and Diu hereby appoints the first day of April, 1985 as the date on which the provisions of the said Act shall come into force in the Union Territory of Goa, Daman and Diu.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. R. Joshi, Under Secretary (STE).

Panaji, 27th March, 1985.

Notification

5-16/81/WET

Whereas certain draft rules, which the Government of Goa, Daman and Diu proposed to make in exercise of the powers conferred by sub-section (1) of section 42 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (10 of 1982), were published as required by sub-section (3) of section 42 of the said Act in the Official Gazette No. 9, Series I dated 31-5-1984 under Notification No. 5-16/81/WET dated 24-4-1984 of the Works, Education and Tourism Department, Government of Goa, Daman and Diu inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of 30 days from the date of the publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 31-5-1984;

And whereas the suggestions and objections received from the public on the said draft have been considered by the Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 42 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (10 of 1982), the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules.

1. Short title and commencement.— (1) These rules may be called the Goa, Daman and Diu Registration of Tourist Trade Rules, 1985.

(2) They shall come into force at once.

2. Definitions.— In these rules, unless the context otherwise requires,—

(a) 'Act' means the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (10 of 1982);

(b) 'Form' means a form appended to these rules;

(c) 'Register' means the register of dealers, the register of travel agents or the register of hotel-keepers, as may be relevant in the context under these rules;

(d) 'Section' means a section of the Act.

(e) All words used but not defined herein shall have the meanings respectively assigned to them in the Act.

3. Registration of dealers, hotel-keepers and travel agents.—“(1) An application for registration by a person intending to carry on the business as a dealer or hotel-keeper or a travel agent under the Act shall be submitted to the prescribed authority in Form I, Form II or Form III, as the case may be, alongwith a treasury challan under which fees as laid down hereunder have been paid.”

Category	Fees
(i) Dealer	Rs. 200/- per year.
(ii) Hotel-keeper	Rs. 600/- per year for ‘A’ Category. Rs. 400/- per year for ‘B’ Category. Rs. 300/- per year for ‘C’ Category. Rs. 200/- per year for ‘D’ Category.
(iii) Travel Agents	Rs. 300/- per year for travel agents conforming to the standards laid down in rule 9. Rs. 200/- per year for other travel agents like excursion agents, tourist guides, etc.”

(2) The prescribed authority shall, on receipt of the application alongwith the treasury challan, acknowledge or cause the acknowledgement of the receipt thereof indicating the date of their receipt.

(3) On receipt of the application, the prescribed authority shall scrutinise it and if registration is not refused under section 5 or section 9 or section 16, as the case may be, it shall enter or cause the contents of the application entered in the register. It shall in case of tourist boats and launches, travel and excursion agents intimate the applicant for causing a spot inspection by an Inspecting Team or an Officer on any convenient date. After inspection, if the inspecting team, or the Officer is satisfied that its up-keep is of the requisite standard, a certificate of registration in Form IV or Form V or Form VI, as the case may be, shall be issued to the applicant.

(4) If the prescribed authority proposes to refuse to register the applicant as a dealer, a hotel-keeper or a travel agent under section 5, section 9 or section 16, as the case may be, he shall serve upon the applicant a notice indicating the grounds on which the registration is proposed to be refused and asking the applicant to submit his objection, if any, either by himself or through his authorised agent regarding the contemplated order or refusal within a period of ten days from the date of receipt of the notice.

(5) If the prescribed authority does not receive a reply to the notice issued under sub-rule (4) within the stipulated time, or after considering the objection, or if the applicant requests to be heard in person, after hearing him, is of the opinion that the objections or submissions made by the applicant are not satisfactory, he shall pass an order refusing registration and communicate the order to the applicant.

Sub-rule (1) of rule 3 has been substituted by (Amendment) Rules, 1998 (O. G. Series I No. 52 dated 25-3-1998). The same has earlier been amended by (Amendment) Rules, 1996.

(6) Every certificate shall be valid for a period of one year from the date of its issue. An application for renewal of the certificate shall be submitted in Form I, Form II or Form III, as the case may be, and the foregoing provisions, *mutatis mutandis*, shall apply. Every such application shall be accompanied by a treasury challan under which the prescribed fee has been paid.

4. Cancellation of Certificate.— (1) If, at any time, after a person is registered as a dealer, a hotel-keeper, or a travel agent under the Act, the prescribed authority is satisfied that the dealer, the hotel-keeper or the travel agent has incurred any of the disqualifications mentioned in section 6, section 10, or section 17, as the case may be, he may serve a notice on him indicating the grounds on which it is proposed to remove his name from the register and requiring him to show cause within fifteen days from the date of receipt of such notice as to why his name should not be removed from the register and the certificate be cancelled.

(2) If the prescribed authority after considering his reply, or if the applicant requests to be heard in person, after hearing him, is of the opinion that the explanation tendered or submissions made by the dealer, the hotel-keeper or the travel agent, as the case may be, is not satisfactory, he shall pass an order removing his name from the register and cancel his certificate of registration and direct him to surrender the certificate for cancellation. Every such order shall be communicated to the dealer, the hotel-keeper or the travel agent, as the case may be.

(3) On surrender of the certificate, it shall be marked with the sign of cross in red colour endorsing thereon, "Removed under Order No. ... dated ..." and the endorsement shall then be recorded on the relevant page of the register.

5. Notice to be sent by registered post.— Every notice or order issued or communicated under the foregoing rules shall be sent by registered post acknowledgement due at the address of the dealer, the hotel-keeper or the travel agent, as shown in the application form and such notice or order, as the case may be, shall be deemed to have been communicated when so despatched.

6. Order to be published in Official Gazette.— Every order passed by the prescribed authority under these rules shall be published in the Official Gazette.

7. Maintenance of books and registers by dealer.— Every dealer shall, from the date of his registration, maintain the following books and registers in such form as may be prescribed and approved by the prescribed authority or such other Officer as may be authorised by him in this behalf, namely:—

- (1) Register or order book in Form X.
- (2) Bill Book duly numbered.
- (3) Cash memo book duly numbered.
- (4) Receipt book showing receipts of amount, paid or advances received, alongwith the dates.

8. Maintenance of register by Travel Agents.— Every travel agent shall, from the date of his registration, maintain a register approved by the prescribed authority, containing the following particulars, namely:—

- (i) Serial Number.
- (ii) Date and time.
- (iii) Number and names of the tourists received.
- (iv) Name of the place of their destination.
- (v) Duration of their stay.
- (vi) Name of the travel agent.
- (vii) Name of the hotel/houseboat/tent/private accommodation (name with locations) to which transferred.
- (viii) Number of the tourists in a party.
- (ix) Amount paid as advance.
- (x) Method of recovery of the balance amount.
- (xi) Bill number and date.
- (xii) Receipt number and date.
- (xiii) Name of the approved Tourist Guide.

(2) Every travel agent shall display on a notice board at the entrance of his office or at the reception counter, the following information:—

- (i) Printed tariff without any mutilations or over-writing.
- (ii) Printed itinerary without any mutilations or over-writing.

9. Classification of travel agents.— The prescribed authority may, after giving a reasonable opportunity of being heard, by an order, classify the travel agents as belonging to class 'A', class 'B', class 'C' or class 'D' having due regard to the capital amount invested, location, general condition, conduct, tourist vehicles owned, reputation/amenities, efficiency, recognition by Airlines/Carriers acting for the promotion of the tourist traffic in the Union Territory, active involvement in the publicity of the tourism, etc. within and outside the Union Territory of Goa, Daman and Diu.

10. Information to be displayed on notice board.— (1) Every hotel-keeper shall display on a notice board in respect of his hotel at the entrance of the hotel or at the reception counter, the following information, namely:—

- (a) Total accommodation available.
- (b) Tourist register in Form XI.
- (c) Accommodation reserved by previous booking.
- (d) Accommodation available on a particular day.
- (e) Rates of eatables/extra bedding, room service, etc. provided by the hotel.

(2) Every hotel-keeper shall maintain the following books and registers duly prescribed and approved by the prescribed authority, namely:—

- (a) Complaint book.

- (b) Tourist register in Form XI.
- (c) Cash memo.
- (d) Bill book duly numbered.
- (e) Receipt book duly numbered.
- (f) Register of advance booking with advance money received.
- (g) The name of the person or concern with the address from where order is received.

11. Classification of hotels.— The prescribed authority shall, having due regard to the location, standard, structure, quality of food, accommodation facilities, service amenities and general conditions, etc. and after holding an inspection of the hotel in the presence of the hotel-keeper, and holding such inquiry as deemed fit and after hearing the hotel-keeper, classify the hotels in different categories.

12. Issuance of duplicate certificate.— If the certificate issued under these rules is lost, damaged or destroyed and the certificate holder desires to have a duplicate, he shall submit an application in Form XII with a fee of rupees ten and the prescribed authority, after holding such enquiry as he deems fit, and after hearing him as to the genuineness of his statement, may issue a duplicate certificate to the applicant. If the prescribed authority refuses to issue a duplicate certificate he shall inform the decision to the applicant in writing indicating the grounds for such refusal.

13. Reservation and allotment of mooring sites.— An application for reservation and allotment of boats shall be submitted to the prescribed authority in Form XIII with the fee as may be notified in the Official Gazette from time to time.

14. Registration of persons carrying on business of plying boats etc.— (1) Every person intending to carry on in a tourist area the business of putting or plying for hire boats, tourist taxis, motor-launches surf-rides, water-skiing, camping, equipment and porters shall have to register himself for carrying on such business.

²⁹[(2) An application for registration shall be submitted to the prescribed authority in Form XIV, with a treasury challan under which fees as laid down hereunder are paid. The certificate of registration shall be in Form VI.

(1) Tourist boat and launches.	...	...	Rs. 200/-
(2) Tourist Taxi.	...	...	Rs. 120/-
(3) Tents and tent equipment dealer.	...	...	Rs. 80/-
(4) Camping agency.	...	...	Rs. 80/-
(5) Porter	...	...	Rs. 40/-]

²⁹ [Sub-rule (2) of rule 14 has been substituted by Amendment Rules, 1988 (O. G. Series I No. 52 dated 26-3-1988). Earlier the same has been amended by Amendment Rules, 1996.

³⁰[(3) Every porter registered under sub-rule (2) shall wear a shirt having blue colour and a badge issued by the prescribed authority, while carrying on business in the specified tourist area.”.]

³¹[(4)] the rates for hiring tourist boats and launches, tents and tent equipment, camp and camping equipment, shall be fixed by the prescribed authority from time to time and such rates shall be published in the Official Gazette. The person engaged in any of the aforesaid business shall display the said rates at the entrance of his office or at the reception counter or at the place from where the boat, taxi etc. are kept for hiring.

²⁶ [(5)] The provisions of rule 3 relating to registration and renewal of registration and rule 4 relating to cancellation of registration shall, mutatis mutandis, apply to registration, renewal of registration and cancellation of registration under the rule.

ANNEXURE “A” (PART A)

Criteria for Classification of Accommodation

Sophisticated accommodation “A” Category

Location and building.— The hotel should be located in an area suitable for the stay of upper middle class tourists having adequate parking place for vehicles, a lawn or a roof garden for the use of the guests.

Guest rooms and bath rooms.— The following amenities shall be provided in all the rooms to be occupied by the guests:—

- (a) Attached bath rooms with long baths, shower, running hot and cold water and adequate supply of soap, toilet paper and towels.
- (b) Proper lighting and fans.
- (c) Telephone (except in seasonal hotels where there should be a call in each room and a telephone connection on each floor).
- (d) A vacuum flask for drinking water.
- (e) Proper furniture.
- (f) Comfortable beds with foam rubber mattresses or Coir mattresses.
- (g) Necessary linen and blankets.
- (h) Minimum carpets area standards prescribed for bathroom/bedroom, etc.

Air-conditioned-single	...	...	140 sq. ft.
Non-Air-conditioned-single	...	...	160 sq. ft.
Air-conditioned-double	...	...	180 sq. ft.
Non-Air-conditioned-double	...	...	220 sq. ft.
Bath rooms (if fitted with showers). (45-50 sq. ft. if fitted with bath tub).	...	...	40 sq. ft.

Public rooms.— The following facilities should be provided in the public rooms.

- (a) Properly staffed Reception and Information Counters with 24 hours service.

³⁰ [Sub-rule (3) inserted by Second Amendment Rules, 1986 (O. G. Series I No. 37 dated 11-12-1986).

³¹ [Sub-rules (3) and (4) renumbered as “(4)” and “(5)”].

- (b) Well-appointed lounge provisions for book stalls, money changing book, safe deposit, left luggage facilities.
- (c) Adequate number of hits (if needed).
- (d) Good quality crockery, cutlery, glass-ware and linen.
- (e) Clean hygienic, well equipped and well maintained kitchen and pantry with a cold storage.
- (f) Provision of cloak rooms for ladies and gents separately.
- (g) Bar facilities.
- (h) Provisions of dance and a chamber music.

Service: The following services should be made available:—

- (a) Hygienic and clean washing of cooking utensils, crockery, and glass-ware.
- (b) Provision of services of experienced and smart staff wearing clean uniform.
- (c) Provision of dry cleaning and laundry services.
- (d) Supervisory staff coming into contact with the guests, should understand English and senior staff should possess a good knowledge of English.

ANNEXURE “A” (PART B)

Medium Class Accommodation (“B” Category)

Location and building.— The hotel should be located in an area suitable for the stay of middle income group tourists.

Guest room and bath rooms.— The following amenities should be provided in all the rooms to be occupied by guests:—

- (a) Attached bath rooms with running hot and cold water, showers, proper sanitary fittings and adequate supply of toilet paper and towels.
- (b) Proper lighting and fans.
- (c) 40% of the beds can be in big rooms with 5 to 10 beds.
- (d) Proper furniture and comfortable beds with foam mattresses.
- (e) General telephone.
- (f) Call-bell in each room.
- (g) Minimum carpet area standards prescribed for bath room/bedroom.

Single	...	...	...	...	110 sq. ft.
Double	...	...	...	...	168 sq. ft.
Bath rooms	...	...	...	...	40 sq. ft.

Service:— The following should be made available:—

- (a) Provision for hygienic washing of utensils, crockery, cutlery and glass-ware.
- (b) Provision of laundry service.
- (c) Provision of smart and experienced staff wearing clean uniforms.

- (d) Senior staff coming into contact with the guests should possess working knowledge of English.
- (e) A clean hygienic kitchen well-equipped and well maintained with pantry.
- (f) Reception counter with telephone facilities.

ANNEXURE "A" (PART C)

Economy Class Accommodation ("C" Category)

Locality and building:— Suitable locality and building to cater to lower income group tourists:—

Guest rooms:— The following amenities should be provided in all rooms to be occupied by guests.

- (a) The rooms should have capacity ranging from two to ten beds. In case of floor accommodation the numbers should not exceed 50 in any one room/hall.
- (b) There must be common sanitary fitted lavatories and bath rooms fitted with running water, separately for ladies and gents, one each for 6 beds.
- (c) Rooms should be properly ventilated, furnished and lighted.
- (d) Fans should be provided in all rooms.
- (e) A common restaurant.
- (f) Minimum carpet area standards prescribed for bath rooms/bed rooms — 40 square feet for each bed and 28 square feet in case of floor accommodation.

Service:— The following service should be provided.

- (a) Clean crockery, outlay and furniture.
- (b) Hygienic washing of utensils under running water having regular outlet of water.
- (c) The Manager and the staff should be conversant with English.
- (d) Reception Counter.

ANNEXURE "A" (PART D)

Paying Guest Accommodation ("D" Category)

Locality and building:— Suitable locality and building to cater to middle and lower income group tourists:—

Guest rooms:— The following amenities should be available:—

- (a) The rooms should have capacity ranging from 2 to 6 beds.
- (b) There must be adequate sanitary fittings like lavatories/bath rooms with running water, one each for 6 beds.
- (c) Rooms should be properly ventilated, furnished and lighted.
- (d) Fans should be provided in all rooms.
- (e) Minimum carpet area standards prescribed for bath room/bed room — 40 sq. ft. per bed.

Application Form for Registration as a Dealer

FORM I

(See rule 3)

To

(The Prescribed Authority)

Sir,

I/We request that I/We may be registered as a dealer within the meaning of Goa, Daman and Diu Registration of Tourist Trade Act, 1982 for ... in respect of the articles mentioned in the Annexure to this application. The other particulars of my/our business are mentioned below:—

- (1) Name of the dealer with full address in the tourist area.
- (2) Name of the business concern.
- (3) Permanent residential address.
- (4) Name of the proprietor/proprietors.
- (5) Name of the Agent/Agents/Employee(s).
- (6) Nature of business.
- (7) Date of establishment of the business concern.
- (8) Date of submission of the application.
- (9) Tourist area in which the applicant is desirous to carry on the business.
- (10) Whether the applicant is a permanent resident of Goa, Daman and Diu.
- (11) Any other business which the applicant is carrying on in any tourist area in the Union Territory of Goa, Daman and Diu or outside the Union Territory.

(Signature of the Applicant)

Place:—

Dated:—

- Note:*
- (i) The dealer should append an annexure indicating therein the articles regarding which he wants to be registered.
 - (ii) The application should be supported by a certificate verifying the above particulars from the Municipal Council/Village Panchayat.

Application Form for Registration of a Hotel-keeper

FORM II

(See rule 3)

To,

(The prescribed Authority)

Sir,

I/We request that I/We may be registered as a hotel-keeper and my/our hotel known as (...) situated at ... may be registered under the Goa, Daman and Diu Registration of Tourist Trade Act, 1982. The other particulars of the hotel are as under:—

- (1) Name of the person with full address intending to operate a hotel or is already operating a hotel.
- (2) Name of hotel.
- (3) Name of the tourist area where the hotel is to be run or is being run.
- (4) Name of the proprietor/proprietors.
- (5) Name of the Manager with full permanent address.
- (6) Name of the agent/agents/employee/employees.
- (7) Whether the applicant is a permanent resident of the Union Territory of Goa, Daman and Diu.
- (8) Any other business which the applicant is carrying on in any tourist area in the Union Territory or outside the Union Territory.
- (9) Whether the building wherein the hotel is operated is owned by the applicant or is rented out or leased.
- (10) In case of a leased building, the period of lease to be mentioned with specified dates.
- (11)

(Signature of the Applicant)

Place:—

Dated:—

Note:— The hotel-keeper should produce the prescribed registers at the time of presenting this application for approval and fixing official seal:

From:

Address:

Dated:

Application Form for Registration of Travel Agent

FORM III

(See rule 3)

To

(The prescribed Authority)

Sir,

I/We request that I/We may be registered as a Travel Agent/Excursion Agent within the meaning of Goa, Daman and Diu Registration of Tourist Trade Act, 1982 for area.

The particulars required for the purpose are given herein below:—

- 1 Name of the Firm and its registered address.
- 2 Year when the firm was established.
- 3 Whether the firm is a proprietor/partnership/private or public limited concern.
- 4 Month and date when the firm was registered.

- 5 Capital standing in Bank.
- 6 Names of Director/Directors/Partner(s) etc.
- 7 Details of interest, if any, in other business of the Director(s), Partner(s) etc.
- 8 Names of Bankers (attach reference from the Bank).
- 9 Names of Auditors (A balance sheet and profit and loss statement pertaining to the travel business, as prescribed under Company law must be submitted by each applicant).
- 10 Income-tax Clearance Certificate from the appropriate authorities.
- 11 All other activities undertaken by the firm, besides travel arrangements.
12. (i) Volume of tourist traffic handled upto the date of application showing foreign and internal tourist traffic separately.
 - (ii) Clientele, any special tourist parties, their size, frequency of visits, etc.
 - (iii) Amenities arranged for foreign tourists.
 - (iv) Steps taken to promote home tourists traffic and details of the parties handled, if any.
 - (v) Promotion/publicity activities, undertaken (with documentary proof).
13. Branches of the firm in the country, the staff employed at the headquarters and branches.
14. Particulars of foreign firms, if any, with the details of tourist traffic business connections.
15. Name of the guide approved by Directorate of Tourism, Government of Goa, Daman and Diu, Panaji-Goa, having been employed with their address.
16. Registration Number and date of Airlines/Carriers (with certified copy attached).

Your faithfully

Place:—
Dated:—

(_____)
Signatures of the Director(s)
Partner(s) etc.

—————
Department of Tourism

Government of Goa, Daman and Diu
Panaji-Goa

—
FORM IV
(See rule 3)

Certificate of Registration of “Dealer”

This is to certify that ... son of ... resident of ... dealer in ... has / have been registered under the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 to carry on the business as a dealer in the following notified articles in ... area/areas. The certificate is valid upto ...

Names of the notified articles.

1. ...
2. ...
3. ...

- 4. ...
- 5. ...
- 6. ...

()
 Prescribed Authority

Place:—

Dated:—

ENDORSEMENT

This registration is hereby renewed upto

Place:—

Dated:—

()
 Prescribed Authority

—————
Department of Tourism
 Government of Goa, Daman and Diu
 Panaji-Goa

—
 FORM V
 (See rule 3)

Certificate of "Hotel"

This is to certify that ... son of ... resident of ... has/have been registered under the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 to operate the said hotel/hotels ...

- (a) Name of the Hotel.
- (b) Area where the hotel is operated.
- (c) This Certificate is valid upto ...

Place:—

Dated :—

()
 Prescribed Authority

ENDORSEMENT

This registration is hereby renewed upto

Place:—

Dated:—

()
 Prescribed Authority

[“FORM VI

(See rules 3 and 14)

Certificate of Registration of “Travel Agent” or “Excursion Agent” or “Tourist boat and launches”, ‘Tourist Taxis’, ‘Tents and tent equipment dealer’, ‘Camping Agency’, ‘Porter’.

This is to certify that ..., son of..., resident of ... has/have been registered under the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (Act 10 of 1982), to carry on the business of Travel Agent/Excursion Agent/Tourist boat and launches/Tourist Taxi/Tents and tent equipment dealer/Camping agency/Porter/Tourist Guides in the State of Goa.

This Certificate is valid upto

Place:

Dated:

(
Prescribed Authority)

FORM VII

(See rule 4)

Notice under rule 4 of the Goa, Daman and Diu Registration of Tourist Trade Rules, 1983.

Shri ...

Son of ...

Resident of ...

Registration No. ...

To,

Whereas it has come to the notice of the undersigned that:

(i) You have ceased to be a dealer within the meaning of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 and the rules framed thereunder.

(ii) You have been convicted of an offence of ... under section ... Chapters XIV and XVI of the Indian Penal Code, 1860 vide, order dated ... passed by the Court....

(iii) You have been convicted of an offence of ... under section ... of the ... Act vide order dated ... passed by the Court ...

(iv) You have been convicted under section ... of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 and rules framed thereunder for an offence of ... vide order dated ... of the Court ...

(v) You have been declared an insolvent by the Court ... vide order dated ... and have not been discharged.

(vi) the following complaints of malpractice have been received against you.

And whereas your name is liable to be removed from the register under section 6 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982.

Now, therefore, notice is hereby given to you to show cause within fifteen days from the date of its receipt as to why your name should not be removed from the register and the certificate cancelled on the grounds specified above. If no reply is received within the said period, it will be assumed that the grounds mentioned in the notice are correct and on such assumption, an order shall be passed by me removing your name from the register and the certificate shall stand cancelled.

(_____)
Prescribed Authority

Form "VI" has been substituted by (Amendment) Rules, 1996 (O. G. Series I No. 8 dated 23-5-1996).

FORM VIII

(See rule 7)

Notice under rule 4 of the Goa, Daman and Diu Registration of Tourist Trade Rules, 1984.

To,

Shri ...

Son of ...

Resident of ...

Registration No. ...

Whereas it has come to the notice of the undersigned that:

(i) You have ceased to operate the hotel within the meaning of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 and the rules framed thereunder.

(ii) You have been convicted of an offence of ... under section ... Chapter XIV and XVI of the Indian Penal Code, 1860 vide order dated ... passed by the Court

(iii) You have been convicted of an offence of ... under section ... of the ... Act vide order dated ... passed by the Court ...

(iv) You have been convicted under section ... of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 and rules framed thereunder for an offence of ... vide order dated ... of the Court ...

(v) You have been declared an insolvent by the Court ... vide order dated ... and have not been discharged.

(vi) the following complaints of malpractice have been received against you.

And whereas your name is liable to be removed from the register under section 6 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982.

Now, therefore, notice is hereby given to you to show cause within fifteen days from the date of its receipt as to why your name should not be removed from the register and the certificate cancelled on the grounds specified above. If no reply is received within the said period, it will be

assumed that the grounds mentioned in the notice are correct and on such assumption, an order shall be passed by me removing your name from the register and the certificate shall stand cancelled.

()

Prescribed Authority

(Indicate in detail only the ground which is applicable at the time of issue of the notice).

FORM IX

(See rule 7)

Notice under rule 4 of the Goa, Daman and Diu Registration of Tourist Trade Rules, 1983.

To,

Shri ...

Son of ...

Resident of ...

Registration No. ...

Whereas it has come to the notice of the undersigned that:

(i) You have ceased to act as a Travel Agent within the meaning of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 and the rules framed thereunder.

(ii) You have been convicted of an offence of ... under section ... Chapters XIV and XVI of the Indian Penal Code, 1860 vide order dated ... passed by the Court

(iii) You have been convicted of an offence of ... under section ... of the ... Act vide order dated ... passed by the Court ...

(iv) You have been convicted under section ... of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 and rules framed thereunder for an offence of ... vide order dated of the Court ...

(v) You have been declared an insolvent by the Court ... vide order dated ... of the Court and have not been discharged.

(vi) The following complaints of malpractice have been received against you.

And whereas your name is liable to be removed from the register under section 6 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982.

Now, therefore, notice is hereby given to you to show cause within fifteen days from the date of its receipt as to why your name should not be removed from the register and the certificate cancelled on the grounds specified above. If no reply is received within the said period, it will be assumed that the grounds mentioned in the notice are correct and on such assumption, an order shall be passed by me removing your name from the register and the certificate shall stand cancelled.

()

Prescribed Authority

(Indicate in detail only the ground which is applicable at the time of issue of the notice).

FORM X
(Order Book)
(See rule 7)

Firm

Place ...

Date of placing of order	Name and address of the persons placing the order	Full description of the articles/being ordered with size, quality, design, colour, etc.	Permanent address of the person placing order	Present address in the Union Territory	Date by which the goods are to be despatched	Total value of the goods ordered	Amount paid in advance in foreign/Indian currency	Balance, if any, Payable in foreign/Indian currency and the time when payable	Brief record of terms and conditions, if any, between the customer and the firm	Signature of the Customer and the owner for representative of the firm with date.
1	2	3	4	5	6	7	8	9	10	11
								()		

“FORM XI
(Tourist Register)
(See rule 10)

Sr. No.	Name of the Guest	Full address within India/abroad	Passport No., date of issue and expiry	No. of Guests accommodated and number of rooms occupied	Date of arrival and time	Date of departure and time	Accommodation charges per day	Period of stay
1	2	3	4	5	6	7	8	9

Signature of Guest during arrival	Total amount charged on accommodation	Charges paid in Foreign/Indian Currency	Bill/Receipt No. and Cash Memo with date	Amount of Luxury Tax collected	Signature of Receptionist/Ma-nager on duty	Particulars of the encashment certificate with date	Signature of the Guest during departure	Remarks
10	11	12	13	14	15	16	17	18 ”

FORM XII
(See rule 12)

From:
Address:
Dated:

Application for Duplicate Certificate

To,

....
....
....

Sir,

I/We submit that my/our Registration Certificate issued under No. ... dated ... has been lost/damaged/destroyed. I, therefore, request that duplicate certificate may kindly be issued in my favour. The other particulars of my business are as under:—

....
....
....
....
....
....
....
....
....

FORM XIII
(See rule 13)

I/We request that I/We may be allotted one mooring site/ghat in ... area for mooring my/our boat as required within the meaning of Goa, Daman and Diu Registration of Tourist Trade Act, 1982. Necessary particulars in this regard are mentioned below:—

1. Name of the Owner.
2. Name of the boat.
3. Present Address.
4. Period for which the boat is intended to be moored.
5. Name of the tourist, if any, occupying the boat at the time of applying.

()

Signature of the Applicant

Form "XIV" has been inserted by Amendment Rules 1996 (O. G. Series I No. 8 dated 23-5-1996). Form XIV has earlier been inserted vide First Amendment Rules, 1986.

FORM XIV

(See rule 14)

To,

The Prescribed Authority,

I/We ... request that I/We, may be registered as a Tourist boat/Launch Owner/Tourist Taxi Operator/Tent equipment dealer/Camping agent/Porter, within the meaning of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (Act 10 of 1982), for the year ...

The other particulars of the trade are as under:—

- (1) Name of the person with full address intending to operate or is already operating as.
- (2) Name of the tourist area where the business is to be conducted.
- (3) Name of the proprietor.
- (4) Whether the applicant is a permanent resident of Goa.
- (5) Whether the applicant has necessary licence/permit to ply tourist taxi or tourist boat/launch. If so, documentary evidence be produced.
- (6) Whether the applicant has life saving equipment (in case of motor-launches).
- (7) Whether the applicant has undergone a guide training course conducted by the Government of India Tourist Office/Government of Goa, Department of Tourism. If so, documentary evidence and two passport size photographs be produced.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. R. Joshi, Under Secretary (STE), to the Government of Goa, Daman and Diu.

Panaji, 16th March 1985.

(Published in the official Gazette, Series I No. 52 dated 30-3-1985 Extraordinary).

Notification

5/16/81-WET/VOL. III

In exercise of powers conferred by sub-section (1) of section 20 and section 21 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (Act No. 10 of 1982), the Government of Goa, Daman & Diu hereby appoints the Secretary (Finance) to the Government of Goa, Daman & Diu as the Appellate Authority, and the Chief Secretary to the Government of Goa, Daman and Diu as the Revisional Authority for the purpose of the said Act.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. J. Faleiro, Under Secretary (STE).

Panaji, 16th October, 1986.

Department of Tourism

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Notification

4/9/87-III(T)/Vol I

In exercise of the powers conferred by sub-rule (2) of rule 1 of the Goa Registration of Tourist Trade (Amendment) Rules, 1998 (hereinafter called the "said Rules"), the Government of Goa hereby appoints the 20th day of July, 1998, as the date on which the said Rules shall come into force.

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

U. D. Kamat, Director of Tourism & ex-Officio Joint Secretary to the Government.

Panaji, 13th July, 1998.

(Published in the official Gazette, Series I No. 16 dated 16-7-1998 (Supplement).

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Tourism, Information and Transport Department

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Notification

5/16/81-WET-Part file

In exercise of the powers conferred by clause (j) of section 2 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (10 of 1982), the Government of Goa, Daman and Diu hereby notifies the Director of Tourism, Government of Goa, Daman and Diu as the prescribed authority for all the provisions of the said Act for the whole of the Union Territory of Goa, Daman and Diu.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. R. Joshi, Under Secretary (S T E).

Panaji, 8th July, 1985.

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Notification

5/16/81-WET-Part file

In exercise of the powers conferred by clause (k) of section 2 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (10 of 1982), the Government of Goa, Daman and Diu hereby notifies the whole of the Union Territory of Goa, Daman and Diu to be a tourist area for the purposes of the said Act.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. R. Joshi, Under Secretary (S T E).

Panaji, 8th July, 1985.

Notification

5/16/81-WET-Part file

In exercise of the powers conferred by clause (h) of section 2 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (10 of 1982), the Government of Goa, Daman and Diu hereby notifies the handicrafts and curios to be the notified articles for the purposes of the said Act.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. R. Joshi, Under Secretary (S T E).

Panaji, 8th July, 1985.

Department of Tourism**Notification**

5/16/81-TIT/Vol. III

In exercise of the powers conferred by clause (h) of section 2 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (10 of 1982), and in partial modification of notification No. 5/16/81-WET-Part file dated July 8, 1985, the Government of Goa hereby notifies only the undermentioned types of handicrafts to be the notified articles for the purpose of the said Act, namely:—

- 1) Articles made of coir, fibre, shells, jute, bamboo, clay brass, bronze and lacquer.
- 2) Wood carvings.

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

A. T. Fernandes, Under Secretary to the Government of Goa, Tourism Department.

Panaji, 15th February, 1988.

(Published in the official Gazette, Series I No. 51 dated 17-3-1998).

Department of Industries**Notification**

3/29/99-IND

The Government of India with a view to develop Tourism in the State, have recommended that the Tourism may be declared as an Industry by the State Government. The Goa Chamber of Commerce and Industries have also urged the Government that since Tourism continues to be the second most important Industry in Goa, contributing substantially to Goa's economy and providing employment, and as Goa is a well known destination famous for its sunny climate and pristine beaches, the same may be awarded a status of the Industry. The Tourism is in fact playing an important role in all round

growth and development of this State and it is also an employment incentive and major foreign exchange earned for the country.

The Government of Goa after considering all the aspects in the matter and in order to achieve proper and planned growth of tourism activities in the State as well as all round growth and development of this Country hereby declares and accords Tourism the status of an Industry subject to the following conditions, namely:—

(i) The work of registration and other related matter connected with the management of Tourism Industry shall continue to be looked after by the Tourism Department.

(ii) No benefits such as Sales Tax Exemption Scheme as applicable as present to other industries shall be extended to the Tourism Industry.

(iii) Tourism Industry will continue to be levied Sales Tax and Luxury Tax as at present.

(iv) Water and power tariff levied on Industrial units will also apply in respect of Tourism Industry.

The following tourism project shall be automatically included and treated as Industry for all statutory purposes except those as specified above:

- (a) Hotels and Resorts;
- (b) Motels;
- (c) Arts & Crafts Village;
- (d) Amusement Parks;
- (e) Heritage Hotels;
- (f) Convention Centres;
- (g) Development of Hill Stations;
- (h) Projects approved by Classification committees of Tourism Department of the Government of India or State Government.

The above decision shall come into force with effect from 1-4-2000.

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

Maria A. Rodrigues, Joint Secretary (Industries).

Panaji, 31st March, 2000.

