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SERIES I No. 8

OFFICIAL GOVERNMENT OF GOA GAZETTE



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NOTE

There are three Extraordinary issues to the Official Gazette, Series I No. 7 dated 19-5-2016, as follows:—

(1) Extraordinary dated 20-5-2016 from pages 167 to 168 regarding Market Borrowing Programme of State Government, 2015-16— Not. No. 5-3-2016-Fin(DMU)/Part from Department of Finance (Debt Management Division).

(2) Extraordinary (No. 2) dated 20-5-2016 from pages 169 to 296 regarding Tariff Order issued by JERC for FY 2016-17— Not. No. 120/03/JERC/MYT/16-17/CEE/Tech from Department of Power (Office of the Chief Electrical Engineer).

(3) Extraordinary (No. 3) dated 24-5-2016 from pages 297 to 354 regarding minimum rates of wages—Not. No. 24/21/2009-LAB-II/355 from Department of Labour.

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GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Notification

3/3/Hort/SSS-GSHCL/2/2016-17/D.Agr/37

The following scheme approved by the Government of Goa is hereby published for the information of the public in general and the farming community in particular.

1. *Short title and commencement.*— (i) The scheme shall be called "Promotion of vegetables with Assured Markets-2015".

(ii) It shall come into effect from 1st April, 2015 and shall remain in force till it is

withdrawn or amended by the Government of Goa.

2. *Objectives.*— (i) To promote commercial vegetable cultivation in the State as a viable self-employment activity.

(ii) To reduce the dependence on other States for the State's vegetable requirements.

(iii) To draw back youth to agriculture in view of the short gestation period for vegetable projects and greater profitability.

(iv) To insulate all vegetable cultivators from exploitation by middle men.

(v) To establish market linkages for green house vegetable cultivators besides others.

(vi) To provide Goan consumers, quality vegetables and fruits produced through lower/lesser fertilizer as well as pesticide use.

3. *Beneficiaries.*— (i) All farmers of the State cultivating vegetables.

(ii) Various farmer groups, i.e. Self Help Groups (SHG's), Farmers Cooperative Societies/Clubs/Associations engaged in vegetable cultivation and registered with the Directorate of Agriculture/Goa State Horticultural Corporation Ltd. (GSHCL).

(iii) Schools and other educational/socio-cultural organisations promoting and involved in vegetable cultivation.

4. *Pattern of Assistance.*— The assistance will be based on the type of vegetables to be procured.

(A) These shall be commercial varieties of vegetables or those having good market demand commonly brought to Goa from the Belgaum market, namely:—

- i. Onion
- ii. Tomato
- iii. Bhendi
- iv. Green chilly
- v. Cluster bean
- vi. Cucumber
- vii. Ridge Gourd
- viii. Bitter Gourd
- ix. Tendli
- x. Bottle Gourd (Trellis grown)
- xi. Brinjal
- xii. Elephant Foot Yam
- xiii. Ginger

(B) The implementing agency i.e. Goa State Horticultural Corporation Ltd. (GSHCL) would be entitled for full reimbursement from scheme funds towards the expenditure incurred for:—

(i) Rent and other infrastructural costs such as crates, baskets, net bags, weighing scales, stationery, etc. to operate existing 18 procurement centres and any additional centres to be opened after Government approval.

(ii) Rent and other infrastructural costs to operate a centralised sorting, grading and packing centre in each district.

(iii) Hire charges of vehicles engaged to collect vegetables from designated places bring it to Procurement Centres, transport it to district level sorting/packing centre or directly to supply to vendors i.e. one vehicle per Procurement Centre and up to two vehicles, as per need, per district level centre.

(iv) The Goa State Horticultural Corporation Ltd. (GSHCL) will also be reimbursed the salaries of the staff deployed by it for implementing the scheme as per guidelines communicated from time to time by Department of Personnel, Government of Goa. Such staff will comprise of Marketing Officers, Supervisors and Helpers equivalent to posts of Assistant Agriculture Office, Lower Division Clerk and Field Worker in the Directorate of Agriculture.

(C) The Corporation shall fix the rate of procurement on fortnightly basis well in advance. Actual cost difference between the pre-fixed procurement price (if higher) and the actual sale rate for the day fixed for similar vegetable supplied by its approved contractors for procured vegetables sold will be reimbursed to Goa State Horticultural Corporation Ltd. (GSHCL) from scheme funds.

(D) The Goa State Horticultural Corporation Ltd. (GSHCL) shall also be eligible for an additional assistance of 10% of the total purchase value of procured vegetables to cover losses due to reduction in weight due to driage, spoilage, during transportation and handling etc.

5. *Procedures & Guidelines.*— (i) The Goa State Horticultural Corporation Ltd. (GSHCL) will identify in consultation with the Directorate of Agriculture, the commercial varieties/mix of varieties of vegetables having good market demand for supply through its vendors as well as good demand outside the State (in case of vegetables like green chilly) besides high yielding attributes.

(ii) The Directorate of Agriculture will purchase the seed of such varieties to be distributed under its various vegetable promotion schemes.

(iii) Farmers cultivating such identified varieties of vegetables and any other varieties deemed suitable and willing to sell their produce through Goa State Horticultural Corporation Ltd. (GSHCL) shall register with the Corporation through the concerned Zonal Agriculture Officer (ZAO) giving relevant details such as type and variety of vegetable, area, dates of sowing & harvesting, bank mandate form, Krishi card (if available) and Aadhar Card number, etc. in the format given at Annexure I.

(iv) The Goa State Horticultural Corporation Ltd. (GSHCL) shall fix the procurement rates in advance. The rates shall be fixed by Goa State Horticultural Corporation Ltd. (GSHCL) based on the average approved price for supply to it during the corresponding fortnight of the previous year which will be the base price. An additional amount of Rs. 8 shall be added to this base price.

(v) These rates shall be widely circulated by Goa State Horticultural Corporation Ltd. (GSHCL) for information of vegetable cultivators.

(vi) Registered farmers should compulsorily intimate the Goa State Horticultural Corporation Ltd. (GSHCL) through designated Supervisors at Procurement Centres, the probable quantity of various vegetables likely to be supplied by them two days in advance.

(vii) The Goa State Horticultural Corporation Ltd. (GSHCL) shall purchase the vegetable from such registered growers brought to its Procurement Centres or designated collection points, provided it meets the quality standards and is within the eligible quantity for the area grown. The rate of purchase will be the pre-fixed price or the approved supplier's rate for the day whichever is higher.

(viii) Grading and packing etc. shall be done at Procurement Centres, District Level Centres and distribution/sale of these vegetables shall be done through the hired goods transport vehicles whose hire will be reimbursed under the scheme.

(ix) The procured vegetable shall be sold by Goa State Horticultural Corporation Ltd. (GSHCL) as per the normal/approved sale price to its vendors.

(x) In case of glut or procurement in excess of its requirements for supply through its vendor networks and after exhausting all storage options, the Goa State Horticultural Corporation Ltd. (GSHCL) will be permitted to sell such vegetables at whole sale markets within and outside the State. Such produce may also be directly sold to exporters in case higher prices are offered.

(xi) The price difference and/or approved handling charges as a percentage of vegetables sold will be claimed month-wise or season-wise at the discretion of Goa State Horticultural Corporation Ltd. (GSHCL) considering carryover of procured stock from one month end to beginning of next month. The assistance of price difference will be on quantity sold only.

(xii) The Goa State Horticultural Corporation Ltd. (GSHCL) shall furnish a soft copy of all such claims along with a copy of the claim statement to the Directorate of Agriculture for its perusal and records. It shall also furnish the Annual Utilization Certificate duly certified by its Internal Auditor.

6. *Interpretation.*— Issues, if any, arising with regards to interpretation of any clause, word(s), expression(s) or the entire scheme, the decision in this respect shall vest with the Government.

7. *Redressal of grievances and disputes.*— Governances or disputes, if any, arising out of implementation of the scheme shall be submitted to and decided by the Director of Agriculture and the decision taken in this respect shall be final and binding on all concerned.

8. *Powers to relax.*— The Government shall, with prior consultation with the Finance Department relax any or all conditions specified above to meet the objectives of the scheme.

This issues with the concurrence of the Finance (Expenditure) Department under U. O. No. 1400017668, dated 17-02-2016.

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

Ulhas B. Pai Kakode, Director & ex officio Joint Secretary (Agriculture).

Tonca-Caranzalem, 17th May, 2016.

Department of Law & Judiciary
Legal Affairs Division

Notification

10/4/2016-LA

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (Central Act No. 1 of 2016), which has been passed by Parliament and assented to by the President on 31-12-2015 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 1-01-2016, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 6th May, 2016.

The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015

AN

ACT

to amend the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Be it enacted by Parliament in the Sixty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

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

2. *Amendment of long title.*— In the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter 33 of 1989.

referred to as the principal Act), in the long title, for the words “Special Courts”, the words “Special Courts and the Exclusive Special Courts” shall be substituted.

3. *Amendment of section 2.*— In section 2 of the principal Act, in sub-section (1),—

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

‘(bb) “dependent” means the spouse, children, parents, brother and sister of the victim, who are dependent wholly or mainly on such victim for his support and maintenance;

(bc) “economic boycott” means—

(i) a refusal to deal with, work for hire or do business with other person; or

(ii) to deny opportunities including access to services or contractual opportunities for rendering service for consideration; or

(iii) to refuse to do anything on the terms on which things would be commonly done in the ordinary course of business; or

(iv) to abstain from the professional or business relations that one would maintain with other person;

(bd) “Exclusive Special Court” means the Exclusive Special Court established under sub-section (1) of section 14 exclusively to try the offences under this Act;

(be) “forest rights” shall have the meaning assigned to it in sub-section (1) of section 3 of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006;

2 of 2007.

(bf) “manual scavenger” shall have the meaning assigned to it in clause (g) of sub-section

(1) of section 2 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013; 25 of 2013.

(bg) “public servant” means a public servant as defined under section 21 of the Indian Penal Code, as well as any other person deemed to be a public servant under any other law for the time being in force and includes any person acting in his official capacity under the Central Government or the State Government, as the case may be;’;

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

‘(ea) “Schedule” means the Schedule appended to this Act;

(eb) “social boycott” means a refusal to permit a person to render to other person or receive from him any customary service or to abstain from social relations that one would maintain with other person or to isolate him from others;

(ec) “victim” means any individual who falls within the definition of the “Scheduled Castes and Scheduled Tribes” under clause (c) of sub-section (1) of section 2, and who has suffered or experienced physical, mental psychological emotional or monetary harm or harm to his property as a result of the commission of any offence under this Act and includes his relatives, legal guardian and legal heirs;

(ed) “witness” means any person who is acquainted with the facts and circumstances, or is in possession of any information or has knowledge necessary for the purpose of investigation, inquiry or trial of any crime involving an offence under this Act, and who is or may be required to give information or make a statement or produce any document

during investigation, inquiry or trial of such case and includes a victim of such offence;’;

(iii) for clause (f), the following clause shall be substituted, namely:—

“(f) the words and expressions used but not defined in this Act and defined in the Indian Penal Code, the Indian Evidence Act, 1872 or the Code of Criminal Procedure, 1973, as the case may be, shall be deemed to have the meanings respectively assigned to them in those enactments.”.

4. *Amendment of section 3.*— In section 3 of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

‘(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,—

(a) puts any inedible or obnoxious substance into the mouth of a member of a Scheduled Caste or a Scheduled Tribe or forces such member to drink or eat such inedible or obnoxious substance;

(b) dumps excreta, sewage, carcasses or any other obnoxious substance in premises, or at the entrance of the premises, occupied by a member of a Scheduled Caste or a Scheduled Tribe;

(c) with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe, dumps excreta, waste matter, carcasses or any other obnoxious substance in his neighbourhood;

(d) garlands with footwear or parades naked or semi-naked a member of a Scheduled Caste or a Scheduled Tribe;

(e) forcibly commits on a member of a Scheduled Caste or a Scheduled Tribe any act, such as removing clothes from the person, forcible tonsuring of head, removing moustaches, painting face or body or any other similar act, which is derogatory to human dignity;

(f) wrongfully occupies or cultivates any land, owned by, or in the possession of or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe, or gets such land transferred;

(g) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights, including forest rights, over any land or premises or water or irrigation facilities or destroys the crops or takes away the produce therefrom.

Explanation.— For the purposes of clause (f) and this clause, the expression “wrongfully” includes—

(A) against the person’s will;

(B) without the person’s consent;

(C) with the person’s consent, where such consent has been obtained by putting the person, or any other person in whom the person is interested in fear of death or of hurt; or

(D) fabricating records of such land;

(h) makes a member of a Scheduled Caste or a Scheduled Tribe to do “*begar*” or other forms of forced or bonded labour other than any compulsory service for public purposes imposed by the Government;

(i) compels a member of a Scheduled Caste or a Scheduled Tribe to dispose or carry human or animal carcasses, or to dig graves;

(j) makes a member of a Scheduled Caste or a Scheduled Tribe to do manual scavenging or employs or permits the employment of such member for such purpose;

(k) performs, or promotes dedicating a Scheduled Caste or a Scheduled Tribe woman to a deity, idol, object of worship, temple, or other religious institution as a *devadasi* or any other similar practice or permits aforementioned acts;

(l) forces or intimidates or prevents a member of a Scheduled Caste or a Scheduled Tribe—

(A) not to vote or to vote for a particular candidate or to vote in a manner other than that provided by law;

(B) not to file a nomination as a candidate or to withdraw such nomination; or

(C) not to propose or second the nomination of a member of a Scheduled Caste or a Scheduled Tribe as a candidate in any election;

(m) forces or intimidates or obstructs a member of a Scheduled Caste or a Scheduled Tribe, who is a member or a Chairperson or a holder of any other office of a Panchayat under Part IX of the Constitution or a Municipality under Part IXA of the Constitution, from performing their normal duties and functions;

(n) after the poll, causes hurt or grievous hurt or assault or imposes or threatens to impose social or economic boycott upon a member of a Scheduled Caste or a Scheduled Tribe or prevents from availing benefits of any public service which is due to him;

(o) commits any offence under this Act against a member of a Scheduled Caste or a Scheduled Tribe for having voted or not having voted for a

particular candidate or for having voted in a manner provided by law;

(p) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;

(q) gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;

(r) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;

(s) abuses any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view;

(t) destroys, damages or defiles any object generally known to be held sacred or in high esteem by members of the Scheduled Castes or the Scheduled Tribes.

Explanation.— For the purposes of this clause, the expression “object” means and includes statue, photograph and portrait;

(u) by words either written or spoken or by signs or by visible representation or otherwise promotes or attempts to promote feelings of enmity, hatred or ill-will against members of the Scheduled Castes or the Scheduled Tribes;

(v) by words either written or spoken or by any other means disrespects any late person held in high esteem by members of the Scheduled Castes or the Scheduled Tribes;

(w) (i) intentionally touches a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing

that she belongs to a Scheduled Caste or a Scheduled Tribe, when such act of touching is of a sexual nature and is without the recipient’s consent;

(ii) uses words, acts or gestures of a sexual nature towards a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe.

Explanation.— For the purposes of sub-clause (i), the expression “consent” means an unequivocal voluntary agreement when the person by words, gestures, or any form of non-verbal communication, communicates willingness to participate in the specific act:

Provided that a woman belonging to a Scheduled Caste or a Scheduled Tribe who does not offer physical resistance to any act of a sexual nature is not by reason only of that fact, is to be regarded as consenting to the sexual activity:

Provided further that a woman’s sexual history, including with the offender shall not imply consent or mitigate the offence;

(x) corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;

(y) denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any other section thereof have a right to use or access to;

(z) forces or causes a member of a Scheduled Caste or a Scheduled Tribe

to leave his house, village or other place of residence:

Provided that nothing contained in this clause shall apply to any action taken in discharge of a public duty;

(za) obstructs or prevents a member of a Scheduled Caste or a Scheduled Tribe in any manner with regard to—

(A) using common property resources of an area, or burial or cremation ground equally with others or using any river, stream, spring, well, tank, cistern, water-tap or other watering place, or any bathing *ghat*, any public conveyance, any road, or passage;

(B) mounting or riding bicycles or motor cycles or wearing footwear or new clothes in public places or taking out wedding procession, or mounting a horse or any other vehicle during wedding processions;

(C) entering any place of worship which is open to the public or other persons professing the same religion or taking part in, or taking out, any religious, social or cultural processions including *jatras*;

(D) entering any educational institution, hospital, dispensary, primary health centre, shop or place of public entertainment or any other public place; or using any utensils or articles meant for public use in any place open to the public; or

(E) practicing any profession or the carrying on of any occupation, trade or business or employment in any job which other members of the public, or any section thereof, have a right to use or have access to;

(zb) causes physical harm or mental agony of a member of a Scheduled

Caste or a Scheduled Tribe on the allegation of practicing witchcraft or being a witch; or

(zc) imposes or threatens a social or economic boycott of any person or a family or a group belonging to a Scheduled Caste or a Scheduled Tribe,

shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.;

(ii) in sub-section (2),—

(a) in clause (v), for the words “on the ground that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member”, the words “knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member” shall be substituted;

(b) after clause (v), the following clause shall be inserted, namely:—

“(va) commits any offence specified in the Schedule, against a person or property, knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member, shall be punishable with such punishment as specified under the Indian Penal Code for such offences 45 of 1860. and shall also be liable to fine.”.

5. *Substitution of new section for section 4.*— For section 4 of the principal Act, the following section shall be substituted, namely:—

“4. *Punishment for neglect of duties.*— (1) Whoever, being a public servant but not being a member of a Scheduled Caste

or a Scheduled Tribe, wilfully neglects his duties required to be performed by him under this Act and the rules made thereunder, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year.

(2) The duties of public servant referred to in sub-section (1) shall include—

(a) to read out to an informant the information given orally, and reduced to writing by the officer in charge of the police station, before taking the signature of the informant;

(b) to register a complaint or a First Information Report under this Act and other relevant provisions and to register it under appropriate sections of this Act;

(c) to furnish a copy of the information so recorded forthwith to the informant;

(d) to record the statement of the victims or witnesses;

(e) to conduct the investigation and file charge sheet in the Special Court or the Exclusive Special Court within a period of sixty days, and to explain the delay if any, in writing;

(f) to correctly prepare, frame and translate any document or electronic record;

(g) to perform any other duty specified in this Act or the rules made thereunder:

Provided that the charges in this regard against the public servant shall be booked on the recommendation of an administrative enquiry.

(3) The cognizance in respect of any dereliction of duty referred to in sub-section (2) by a public servant shall be taken by the Special Court or the Exclusive Special Court and shall give direction for penal proceedings against such public servant.”.

6. *Amendment of section 8.*— In section 8 of the principal Act,—

(i) in clause (a), for the words “any financial assistance to a person accused of”, the words “any financial assistance in relation to the offences committed by a person accused of” shall be substituted;

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

“(c) the accused was having personal knowledge of the victim or his family, the Court shall presume that the accused was aware of the caste or tribal identity of the victim, unless the contrary is proved.”.

7. *Amendment of section 10.*—In section 10 of the principal Act, in sub-section (1),—

(a) after the words and figures “article 244 of the Constitution”, the words, brackets and figures “or any area identified under the provisions of clause (vii) of sub-section (2) of section 21” shall be inserted;

(h) for the words “two years”, the words “three years” shall be substituted.

8. *Substitution of new section for section 14.*— For section 14 of the principal Act, the following section shall be substituted, namely:—

“14. *Special Court and Exclusive Special Court.*— (1) For the purpose of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, establish an Exclusive Special Court for one or more Districts:

Provided that in Districts where less number of cases under this Act is recorded, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, specify for such Districts, the Court of Session to be a Special Court to try the offences under this Act:

Provided further that the Courts so established or specified shall have power to directly take cognizance of offences under this Act.

(2) It shall be the duty of the State Government to establish adequate number of Courts to ensure that cases under this Act are disposed of within a period of two months as far as possible.

(3) In every trial in the Special Court or the Exclusive Special Court, the proceedings shall be continued from day-to-day until all the witnesses in attendance have been examined, unless the Special Court or the Exclusive Special Court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded in writing:

Provided that when the trial relates to an offence under this Act, the trial shall, as far as possible, be completed within a period of two months from the date of filing of the charge sheet.”.

9. *Insertion of new section 14A.*— After section 14 of the principal Act, the following section shall be inserted, namely:—

“14A. *Appeals.*— (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an appeal shall lie, from any judgment, sentence or order, not being an interlocutory order, of a Special Court or an Exclusive Special Court, to the High Court both on facts and on law.

(2) Notwithstanding anything contained in sub-section (3) of section 378 of the Code of Criminal Procedure, 1973, an appeal shall lie to the High Court against an order of the Special Court or the Exclusive Special Court granting or refusing bail.

(3) Notwithstanding anything contained in any other law for the time being in force,

every appeal under this section shall be preferred within a period of ninety days from the date of the judgment, sentence or order appealed from:

Provided that the High Court may entertain an appeal after the expiry of the said period of ninety days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of ninety days:

Provided further that no appeal shall be entertained after the expiry of the period of one hundred and eighty days.

(4) Every appeal preferred under sub-section (1) shall, as far as possible, be disposed of within a period of three months from the date of admission of the appeal.”.

10. *Substitution of new section for section 15.*— For section 15 of the principal Act, the following section shall be substituted, namely:—

“15. *Special Public Prosecutor and Exclusive Public Prosecutor.*— (1) For every Special Court, the State Government shall, by notification in the Official Gazette, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.

(2) For every Exclusive Special Court, the State Government shall, by notification in the Official Gazette, specify an Exclusive Special Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as an Exclusive Special Public Prosecutor for the purpose of conducting cases in that Court.”.

11. *Insertion of new Chapter IVA.*— After Chapter IV of the principal Act, the following Chapter shall be inserted, namely:—

“CHAPTER IVA

Rights of victims and witnesses

15A. *Rights of victims and witnesses.*— (1) It shall be the duty and responsibility of the State to make arrangements for the protection of victims, their dependents and witnesses against any kind of intimidation or coercion or inducement or violence or threats of violence.

(2) A victim shall be treated with fairness, respect and dignity and with due regard to any special need that arises because of the victim's age or gender or educational disadvantage or poverty.

(3) A victim or his dependent shall have the right to reasonable, accurate, and timely notice of any Court proceeding including any bail proceeding and the Special Public Prosecutor or the State Government shall inform the victim about any proceedings under this Act.

(4) A victim or his dependent shall have the right to apply to the Special Court or the Exclusive Special Court, as the case may be, to summon parties for production of any documents or material, witnesses or examine the persons present.

(5) A victim or his dependent shall be entitled to be heard at any proceeding under this Act in respect of bail, discharge, release, parole, conviction or sentence of an accused or any connected proceedings or arguments and file written submission on conviction, acquittal or sentencing.

(6) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the Special Court ^{2 of 1974.} or the Exclusive Special Court trying a case under this Act shall provide to a victim, his dependent, informant or witnesses—

(a) the complete protection to secure the ends of justice;

(b) the travelling and maintenance expenses during investigation, inquiry and trial;

(c) the social-economic rehabilitation during investigation, inquiry and trial; and

(d) relocation.

(7) The State shall inform the concerned Special Court or the Exclusive Special Court about the protection provided to any victim or his dependent, informant or witnesses and such Court shall periodically review the protection being offered and pass appropriate orders.

(8) Without prejudice to the generality of the provisions of sub-section (6), the concerned Special Court or the Exclusive Special Court may, on an application made by a victim or his dependent, informant or witness in any proceedings before it or by the Special Public Prosecutor in relation to such victim, informant or witness or on its own motion, take such measures including—

(a) concealing the names and addresses of the witnesses in its orders or judgments or in any records of the case accessible to the public;

(b) issuing directions for non-disclosure of the identity and addresses of the witnesses;

(c) take immediate action in respect of any complaint relating to harassment of a victim, informant or witness and on the same day, if necessary, pass appropriate orders for protection:

Provided that inquiry or investigation into the complaint received under clause (c) shall be tried separately from the main case by such Court and concluded within a period of two months from the date of receipt of the complaint:

Provided further that where the complaint under clause (c) is against any public servant, the Court shall restrain such public servant from interfering with the victim, informant or witness, as the case may be, in any matter related or unrelated to the pending case, except with the permission of the Court.

(9) It shall be the duty of the Investigating Officer and the Station House Officer to record the complaint of victim, informant or witnesses against any kind of intimidation, coercion or inducement or violence or threats of violence, whether given orally or in writing, and a photocopy of the First Information Report shall be immediately given to them at free of cost.

(10) All proceedings relating to offences under this Act shall be video recorded.

(11) It shall be the duty of the concerned State to specify an appropriate scheme to ensure implementation of the following rights and entitlements of victims and witnesses in accessing justice so as—

(a) to provide a copy of the recorded First Information Report, at free of cost;

(b) to provide immediate relief in cash or in kind to atrocity victims or their dependents;

(c) to provide necessary protection to the atrocity victims or their dependents, and witnesses;

(d) to provide relief in respect of death or injury or damage to property;

(e) to arrange food or water or clothing or shelter or medical aid or transport facilities or daily allowances to victims;

(f) to provide the maintenance expenses to the atrocity victims and their dependents;

(g) to provide the information about the rights of atrocity victims at the time of making complaints and registering the following Schedule shall be inserted, namely:—

First Information Report;

(h) to provide the protection to atrocity victims or their dependents and witnesses from intimidation and harassment;

(i) to provide the information to atrocity victims or their dependents or associated organisations or individuals, on the status of investigation and charge sheet and to provide copy of the charge sheet at free of cost;

(j) to take necessary precautions at the time of medical examination;

(k) to provide information to atrocity victims or their dependents or associated organisations or individuals, regarding the relief amount;

(l) to provide information to atrocity victims or their dependents or associated organisations or individuals, in advance about the dates and place of investigation and trial;

(m) to give adequate briefing on the case and preparation for trial to atrocity victims or their dependents or associated organisations or individuals and to provide the legal aid for the said purpose;

(n) to execute the rights of atrocity victims or their dependents or associated organisations or individuals at every stage of the proceedings under this Act and to provide the necessary assistance for the execution of the rights.

(12) It shall be the right of the atrocity victims or their dependents, to take assistance from the Non-Government Organisations, social workers or advocates.”.

12. *Insertion of new Schedule.*— After section 23 of the principal Act, the

“THE SCHEDULE
[See section 3(2) (va)]

Section under the Indian Penal Code	Name of offence and punishment
1	2

120A	Definition of criminal conspiracy.
120B	Punishment of criminal conspiracy.
1	2
141	Unlawful assembly.
142	Being member of unlawful assembly.
143	Punishment for unlawful assembly.
144	Joining unlawful assembly armed with deadly weapon.
145	Joining or continuing in unlawful assembly, knowing it has been commanded to disperse.
146	Rioting.
147	Punishment for rioting.
148	Rioting, armed with deadly weapon.
217	Public servant disobeying direction of law with intent to save person from punishment or property from forfeiture.
319	Hurt.
320	Grievous hurt.
323	Punishment for voluntarily causing hurt.
324	Voluntarily causing hurt by dangerous weapons or means.
325	Punishment for voluntarily causing grievous hurt.
326B	Voluntarily throwing or attempting to throw acid.
332	Voluntarily causing hurt to deter public servant from his duty.
341	Punishment for wrongful restraint.
354	Assault or criminal force to woman with intent to outrage her modesty.
354A	Sexual harassment and punishment for sexual harassment.
354B	Assault or use of criminal force to woman with intent to disrobe.
354C	Voyeurism.
354D	Stalking.
359	Kidnapping.
363	Punishment for kidnapping.
365	Kidnapping or abducting with intent secretly and wrongfully to confine person.
376B	Sexual intercourse by husband upon his wife during separation.
376C	Sexual intercourse by a person in authority.
447	Punishment for criminal trespass.
506	Punishment for criminal intimidation.
509	Word, gesture or act intended to insult the modesty of a Woman.”.

Ord.

1 of 2014.

13. *Repeal and saving.*— (1) The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance, 2014 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 corresponding provisions of the principal Act, as amended by this Act.

Department of Personnel

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Notification

1/31/74-PER (Vol. II)/(Pt. file-II)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Goa General Service, Group 'A', Gazetted, Non-Ministerial posts, for the Allied Health Science Courses (Para Medical Courses) in Goa Medical College, Government of Goa, namely:—

1. *Short title, application and commencement.*— (1) These rules may be called the Government of Goa, Allied Health Sciences Courses (Para Medical Courses), Goa Medical College, Group 'A', Gazetted, Non-Ministerial posts, Recruitment Rules, 2015.

(2) They shall apply to the posts specified in column (2) 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 scale of pay.*— The number of posts, classification of the said posts and the scale of pay attached thereto shall be as specified in columns (3) to (5) of the said Schedule:

Provided that the Government may vary the number of posts as specified in column (3) 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 posts, age limit, qualifications and other matters connected therewith shall be as specified in columns (6) to (14) 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/13/30(1)/2016/198, COM/II/13/30(2)/2016/197 dated 02-5-2016 and COM/II/13/30(3)/2016/2072, COM/II/13/30(4)/2016/2074, COM/II/13/30(5)/2016/2077, COM/II/13(6)/2016/2073, COM/II/13/30(7)/2016/2075 dated 9-2-2016.

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

Sneha S. Morajkar, Joint Secretary (Personnel).

Porvorim, 13th May, 2016.

SCHEDULE

Serial No.	Name/Designation of the post	Number of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	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/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	7(a)	8	9	10	11	12	13	14
1.	Assistant Professor in Optometry.	01	Goa General Service, Group 'A', GAZETED, Non-Ministerial.	PB-3 Rs. 15,600-39,100 + Grade Pay Rs. 6,600/-.	Selection post.	Not exceeding 40 years (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Government from time to time).	No. of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	(1) Masters degree in Optometry from a recognised University. (2) Minimum three years teaching experience in concerned speciality. (3) Knowledge of Konkani. Note: 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	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Two years for direct recruits.	By promotion, failing which, by direct recruitment.	Promotion: Lecturer in Optometry with five years regular service in the grade.	Group 'A', D.P.C. consisting of:- (1) Chairman/Member, Goa Public Service Commission —Chairman. (2) Chief Secretary or his nominee —Member. (3) Administrative Secretary/Head of Department /relaxing any of the provisions of these promotion and confirmation rules.	Goa Public Service Commission while making direct recruitment with the Public Service Commission necessary while making direct recruitment.

1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
2. Assis-	01	Goa	PB-3	N. A.	Not	No.	Essential:	Age:	Two years	By promotion,	Promotion:	Group	Consul-	
tant	(2016)	General	Rs.		exceeding		(1) Master of Sci-	No.	for direct	failing which,	Lecturer in Medical	'A',	tation	
Professor	(Subject	Service,	15,600-		40 years		ence in Medical	Educa-	recruits.	by direct	Imaging Technology	D.P.C.	with the	
in	variation	Group	-39,100		(Relaxable		Imaging Tech-	tional		recruitment.	with five years	of:-	Goa	
Medical	dependent	'A',	+		for Govern-		nology from a	qualifi-			regular service in	(1) Chair-	Public	
Imaging	on	Gaze-	Grade		ment		recognised Uni-	ca-			the grade.	man/	Service	
Techno-	workload).	ted,	Pay		servants		versity.	tions:				Member,	Commis-	
logy.	(workload).	Non-	Rs.		upto 5		(2) Minimum	Yes.				Goa Public	sion is	
		-Minis-	6,600/-.		years in		three years					Service	necessary	
		terial.			accordance		teaching experi-					Commission	while	
					with the		ence in con-					—Chairman.	making	
					instructions		cerned specia-					(2) Chief	direct	
					or orders		lity.					Secretary or	recruit-	
					issued by		(3) Knowledge of					his nominee	ment,	
					the Govern-		Konkani.					—Member.	promo-	
					ment from		Note: In case of non-					(3) Adminis-	tion,	
					time to		-availability of suit-					trative	confir-	
					time).		able candidates					Secretary/	mation	
							with knowledge of					/Head of	and for	
							konkani for the					Department	and amend-	
							posts in profes-					—Member.	ing/	
							sional colleges,					(for	relaxing	
							Consultants in Di-					any of	/relaxing	
							rectorate of Health					the	any of	
												provision	the	
												and	provisions	
												confirmation	of these	
												only).	rules.	

1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
								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 that it is necessary or expedient so to do.						
								Desirable: Knowledge of Marathi.						
3. Lecturer in Physiotherapy.	02 (2016) (Subject to variation dependent on workload).	Goa General Service, Group 'A', Gazetted, Non-Ministerial.	PB-3 Rs. 15,600-39,100 + Grade Pay Rs. 5,400/-.	N. A.	Not exceeding 40 years (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Government from time to time).	No. Essential: (1) Master of Science in Physiotherapy/Master of Physiotherapy/Master of physical therapy/masters in physiotherapy, from a recognised University. (2) Minimum one year teaching experience in concerned speciality. (3) Knowledge of Konkani.	N. A.	Two years.	N. A.	By direct recruitment.	N. A.	Group 'A', D.F.C. consisting of:- (1) Chairman/ Member, Goa Public Service Commission —Chairman. (2) Chief Secretary or his nominee —Member. (3) Administrative Secretary/ Head of Department —Member.	Consultation with the Goa Public Service Commission while making direct recruitment, confirmation and for amending/relaxing	

1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
								able 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 that it is necessary or expedient so to do.					(for confirmation only).	any of the provisions of these rules.
								Desirable: Knowledge of Marathi.						
4.	Lecturer in Clinical Psychology.	01 (2016)	Goa General Service, Group 'A', Gazetted, Non-Ministerial.	PB-3 Rs. 15,600-39,100 + Grade Pay Rs. 5,400/-.	N. A.	Not exceeding 40 years (Relaxable for Government servants upto 5 years in accordance	No.	Essential: (1) Master of Arts (Clinical Psychology) from a recognised University. (2) Minimum one year teaching experience in c o n c e r n e d speciality. (3) Knowledge of Konkani.	N. A.	Two years.	By direct recruitment.	N. A.	Group 'A', D.P.C. consisting of:- (1) Chairman/Member, Goa Public Service Commission—Chairman. (2) Chief Secretary or	Consultation with the Goa Public Service Commission is necessary while making direct recruitment.

1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
						with the instructions or orders issued by the Government from time to time).	7(a)	Note: 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 that it is necessary or expedient so to do. Desirable: Knowledge of Marathi.					his nominee —Member. (3) Administrative Secretary/Head of Department —Member. (for confirmation only).	confirmation and for amending/relaxing any of the provisions of these rules.
5. Lecturer in Optometry.	01 (2016) (Subject variation dependent on workload).	Goa General Service, Group 'A', Gazetted, Non-Ministerial.	PB-3 Rs. 15,600-39,100 + Grade Pay Rs. 5,400/-.	N. A.	N. A.	Not exceeding 40 years (Relaxable for Government servant upto 5 years in	No.	Essential: (1) Masters degree in Optometry from a recognised University. (2) Minimum one year teaching experience in concerned speciality.	N. A.	Two years.	By direct recruitment.	N. A.	Group 'A', D.P.C. consisting of:— (1) Chairman/Member, Goa Public Service Commission —Chairman.	Consultation with the Goa Public Service Commission necessary while making direct

1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
						accordance with the instructions or orders issued by the Government from time to time).	(3) Knowledge of Konkani. Note: 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 that it is necessary or expedient so to do. Desirable: Knowledge of Marathi.						(2) Chief Secretary or his nominee—Member. (3) Administrative Secretary/Head of Department—Member. (for confirmation only).	recruitment, confirmation and for amending/relaxing any of the provisions of these rules.
6. Lecturer in Occupational Therapy.	02 (2016) (Subject to variation dependent on workload).	Goa General Service, Group 'A', Gazetted, Non-Ministerial.	PB-3 Rs. 15,600-39,100 + Grade Pay Rs. 5,400/-.	N. A.	Not exceeding 40 years (Relaxable for Government servants upto 5	No.	Essential: (1) Master of Science in Occupational Therapy/ /Master of Occupation Therapy/ /Master of Occupational Therapy/Masters in	N. A.	Two years.	By direct-recruitment.	N. A.		Group 'A', D.P.C. consisting of:— (1) Chairman/Member, Goa Public Service	Consultation with the Goa Public Service Commission is necessary while making

1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
						years in accordance with the instructions or orders issued by the Government from time to time).		Occupational Therapy, from a recognised University. (2) Minimum one year teaching experience in concerned speciality. (3) Knowledge of Konkani.					Commission —Chairman. (2) Chief Secretary or his nominee —Member. (3) Administrative Secretary/Head of Department —Member. (for confirmation only).	direct recruitment, confirmation and for amending/relaxing any of the provisions of these rules.
								Note: 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 that it is necessary or expedient so to do.						
								Desirable: Knowledge of Marathi.						

	1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
7. Lecturer in Medical Imaging Technology.	02 (2016)	Goa General Service, Group 'A', Gazetted, Non-Ministerial.	PB-3 Rs. 15,600-39,100 + Grade Pay Rs. 5,400/-.	N. A.	Not exceeding 40 years (Relaxable for Government servants upto 5 years in accordance with the instructions or orders issued by the Government from time to time).	No. Essential:	(1) Master of Science in Medical Imaging Technology from a recognised University. (2) Minimum one year teaching experience in concerned speciality. (3) Knowledge of Konkani. Note: 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 that it is necessary or expedient so to do.	N. A.	Two years.	By direct recruitment.	N. A.	Group 'A', D.P. C. consisting of:— (1) Chairman/Member, Goa Public Service Commission—Chairman. (2) Chief Secretary or his nominee—Member. (3) Administrative Secretary/Head of Department—Member. (for confirmation only).	Consultation with the Goa Public Service Commission is necessary while making direct recruitment, confirmation and for amending/relaxing any of the provisions of these rules.		
		Desirable:				Knowledge of Marathi.									

Department of Tourism

Notification

5/3(837)13/DT

The Government of Goa is hereby pleased to frame the following guidelines for ensuring smooth functioning of the “Q” system managed by the watersports associations on the beaches of Goa and request to publish the same in Official Gazette for general information of public.

Objectives.— The following guidelines are framed by the Department of Tourism for ensuring smooth functioning of the “Q” system to be managed by the watersports associations functioning on the beaches of Goa.

1. *Short title, commencement and applicability.*— (1) These guidelines may be called the guidelines for ensuring smooth functioning of the “Q” system managed by the watersports associations on the beaches of Goa.

(2) They shall come into force w.e.f. publication of Notification in the Official Gazette.

(3) They shall be applicable throughout the State of Goa.

2. *Other requirements.*— (1) All watersports operators functioning on a particular beach stretch/tourist place shall form an association at their respective beach/tourist place before starting the operation of the watersports activities. All such watersports associations shall be registered with the Registrar of Societies under the Societies Registration Act, 1860 or as per existing rules/law in force.

(2) All the watersports operators shall have a mandatory Memorandum of Association in order to contain the provisions of these guidelines. The Memorandum of Association shall also have provisions to incorporate any specific instructions/guidelines/rules being issued by the Director of Tourism/Captain of Ports and other competent authorities from time to time.

(3) All the watersports operators who have obtained necessary permissions from the Captain of Ports and the Department of Tourism shall compulsorily be registered with such association as a member. All such members shall elect among themselves President, Vice President, Secretary, Treasurer and other office bearers in a democratic manner by way of regular election. These elected office bearers including President, Vice President, Secretary and Treasurer shall constitute the Committee of the Association and shall assume the responsibility of smooth operation of the water sports activities at the respective tourist place/ /beach stretch. The contact details of every such elected Committee along with their names, proper addresses and mobile numbers/ /contact telephone numbers should be submitted to the Department of Tourism. All watersports operators having a watersports vessel with valid licenses from Captain of Ports, Fisheries and Tourism Department and other statutory documents are allowed to become member of the association on the payment of prescribed fees.

(4) For the purpose of conducting the watersports activities the committee shall establish a single Kiosk at a tourist place/beach stretch, demarcated for the watersports with due permission from the Director of Tourism. All watersports activities shall be strictly conducted by way of “Q” system operating from these Kiosks.

(5) All watersports operators shall compulsorily register with the Department of Tourism under the Goa Registration of Tourist Trade Act, 1982 and rules framed thereunder. No watersports operator shall be allowed to function without proper registration and without having himself registered under the “Q” system. Any operator found operating without proper registration and without registering himself in the “Q” system shall be liable for punishment as provided under section 22 of the Goa Registration of Tourist Trade Act, 1982 and the Goa Tourist Places Protection and Maintenance (Boat rides/parasailing and watersports activities Rules 2005). The Committee of the Watersport Association shall

not register any member/watersports operator on the “Q” system who is not duly registered under the Goa Registration of Tourist Trade Act, 1982 and who does not possess any valid N.O.C from the Captain of Ports. In case any such member is found operating from any Kiosk/Q system managed by any such watersports association the association shall be held responsible and penalized.

(6) All Water Sports operators shall compulsorily abide by the Goa Boat Rides and Water Sports activities Guidelines 2003, Goa Registration of Tourist Trade Act, 1982, the Goa Tourist Places Protection and Maintenance (Boat rides/parasailing and watersports activities Rules 2005) and the policy for regulation of watersports in Goa issued by the Department of Tourism.

(7) All watersports operators shall adhere to the instructions issued by Captain of Ports and safety norms prescribed by the National Institute of watersports from time to time. Any negligence observed on account of non-fulfillment of the instruction issued by Captain of Ports and non-fulfilling of safety norms prescribed by the National Institute of Watersports, resulting in any mishap or accidents while conducting of watersports activities shall be punishable in accordance with law which may attract penal and criminal proceeding also on the watersports operators.

(8) The Committee of the Watersports Association shall maintain due account of the daily transactions in the register. Accounts should clearly indicate the number of tickets issued on account of conducting the watersport activities indicating the name of the watersports operator in whose favor the ticket was issued, the daily income generated the daily number boat rides/trips conducted by specific watersports operator, the amount disbursed to boat operator/watersport operator, the amount pending to be paid to a particular watersport operator, credit amount due from Travel Agency/Tour Operators, hoteliers, etc. and should give a transparent view of the entire transactions of the day on account of conducting watersports activities.

(9) The Committee of the Watersport Association shall be responsible for the payment all statutory taxes and fees required to be paid to concerned authorities and shall account for the same in the register.

(10) The Committee of the Watersport Association should also provide with basic amenities like toilet facility/changing room in the vicinity of the kiosk for use by the members and the tourists as well as public enjoying the watersports facilities.

(11) The Committee of the Watersport Association shall keep record of various expenses incurred on account of containing the kiosk system, purchase of stationery, travelling and other misc. expenditure incurred in respect of the watersport activities conducted through the kiosk.

(12) The Committee of the Watersport Association shall display boldly in a prominent place on the kiosk the rates charged for a particular watersports activity as may be notified by the Director of Tourism for information of tourists and general public enjoining the water sports activities.

(13) The Committee of the Watersport Association shall submit a monthly report of the sales, income and expenditure statement, report on general conduct of watersport activities, any breach of law/any violation of terms and conditions of permissions/any breach of rules and regulations by a particular watersport operator to the Director of Tourism. The Committee of the Watersport Association shall also generate a complaint redressal system of its own and a feedback system for improvement of watersport activities based on the suggestions received from the Tourists and general public enjoining the watersport activities.

(14) The Committee of the Watersport Association may charge surcharge fee/fees on accounts of administration for the services provided from the watersports operators on account of its various operations/services including the maintenance of “Q” system.

(15) Minimum two members of the association should be present throughout the

day to supervise the operation of the booth in orderly manner.

(16) The Committee of the Watersport Association shall ensure that proper tickets indicating the name of the watersport operator and the vessel registration number must be issued to the customers/tourists and proper accounts should be maintained.

(17) If any customer, after purchasing tickets desires to cancel the same due to some fear or doubt, it should be allowed.

(18) There should be at least one female staff posted at the ticketing booth/center.

(19) The Association should provide embarkation/disembarkation arrangement for customers in the form of jetty or pontoon.

(20) The Committee of the Watersport Association shall ensure that the fuel for operating the vessels should be stored in separate store in a well-ventilated area and provided with appropriate firefighting facilities.

(21) The Committee of the Watersport Association shall ensure that the carrying capacity of the boat/vessel must be clearly displayed on the boat/vessel so that it can be seen by the passengers as well as regulatory agencies. Equipment used for aerial operation like beach/winch parasailing must be of international standards and must have certificate. Vulnerable items like rope, yoke, harness, etc. must be checked periodically by the Committee.

(22) The Committee of the Watersport Association shall ensure that prescribed buoyancy aids/life jackets must be available in sufficient numbers to cater to the tourist enjoying various watersport activities before the deployment of the boat/vessel for the ride. They must be available in different sizes so that they will fit customers of all sizes and age groups.

(23) The Committee of the Watersport Association shall ensure that a rescue boat must be available in full readiness during entire period of watersports operation. This boat

must be powered by OBM of minimum 10 H.P. A Lookout-cum-boat driver must be standing near the boat. The boat as well as the Lookout should not be involved with any other activity while on rescue duty.

(24) The Committee of the Watersport Association shall ensure that Water Sports booth/kiosk must have a windsock or a hand-held wind speed meter to determine the wind velocity. The parasailing operation must be stopped whenever the wind speed exceeds 15 miles per hour at the sea level.

(25) The Committee of the Watersport Association shall ensure that all operations of watersports should be done in demarcated/ /earmarked areas only. No operator should operate against the force of the nature i.e. wind, tide, current etc.

(26) The Committee of the Watersport Association shall ensure that all the Water sports operators pay adequate attention to signs put up by the Life Guards Stations and obey instructions given by the Life Guards stations from time to time.

(27) The Committee of the Watersport Association may also see to it that all the drivers/operators are currently trained and possessing a valid license to operate a designated vessel.

(28) The entire staff of the watersports booth/center who are directly involved with the operation must have Life Saving Techniques certificate from National Institute of Watersports (NIWS).

(29) The Committee of the Watersport Association shall also provide a first aid box, specifically developed for on-water rescue, should be carried on the rescue boat as well as passenger boats used for the rides. It is desirable that personnel indirectly connected with watersports booths/centers like booking clerks, receptionists, helpers, etc. also qualify in the First Aid and Cardiopulmonary resuscitation (CPR) and Life saving techniques course so that they can render help in an emergency.

(30) The Committee of the Watersports Association should ensure that the Kiosk Operating staff/helpers are issued proper identity cards and that while on duty/while coming in contact with the passengers must be properly dressed in uniform of the association and should behave in a descent and polite manner. Only the basic required staff should be allowed to remain near the booth. All other staff of the operation should be posted near their respective vessel/equipment. Loitering around the booth should not be allowed under any circumstances.

(31) The Committee of the Watersports Association should ensure that Touting by all means should not be permitted in and around the kiosk areas. It shall be ensured that fair business principles are followed.

(32) The Committee of the Watersports Association shall also ensure that the water Sports activities should be conducted only from Sunrise to Sunset during fair weather days. All safety instructions issued in this regards either by the Meteorology Department or the Captain of ports or any other competent authority should be strictly followed.

(33) The Committee of the Watersports Association should ensure that all the vessels and supplementary equipment must be anchored at the sea/river wherever authorized by COP. No vessel/equipment should be allowed to stand on the beach which may block the free movements of the beach goers and the general public.

(34) The Committee of the Watersports Association shall ensure that all the members and the watersports operators abide by the instructions given by the Coastal Police strictly. It shall be responsibility of the watersports operator to see that all the passengers he carries on his vessel comply with the instructions given by the coastal police, ex. Wearing of life jackets and compliance of other safety instructions, etc.

(35) The Committee of the Watersports Association should keep the area around the booth/kiosk clean, and open. No littering should be allowed around the kiosk.

(36) The Committee of the Watersports Association shall at all times ensure quick help to any tourist in distress. The committee also should extend all cooperation in getting first aid help/police help/ambulance help to the family of victims/casualties if any in cases of accidents while enjoying watersports rides/activities.

(37) The Committee of the Watersports Association shall update itself on the safety information, lifeguards and rescue arrangements and other important telephone numbers of important authorities like local police station, nearest hospitals, ambulances, jeeps, local panchayats, etc. so that the same could be immediately provided to the tourist in distress.

(38) All the records of the Association of the watersports shall be subject to inspection by the Director of Tourism or any other official appointed by him on his behalf. It shall be the responsibility of the Association to produce before the Authorized Officer/Director of Tourism any such records as may be required from time to time.

(39) All the above guidelines should be strictly followed by the watersports associations for smooth conduct of the water sports activities in the state failing which appropriate action shall be initiated against the defaulting watersports operators which may even result in cancellation of the permission issued, forfeiture of the equipment and vessel and filing of criminal and penal charges in certain cases.

Sanjeev C. G. Dessai, Director (Tourism).

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