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SERIES I No. 19

OFFICIAL GAZETTE GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

SUPPLEMENT

Goa Legislature Secretariat

LA/LEGN/2025/1388

The following bill which was introduced in the Legislative Assembly of the State of Goa on 21st July, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Animal Breeding and Domestication (Regulation and Compensation) Bill, 2025

(Bill No. 26 of 2025)

A

BILL

to provide for regulation of breeding and domestication of animals and for the matters incidental thereto.

BE it enacted by the Legislative Assembly of Goa in the Seventy-sixth Year of Republic of India as follows:—

1. *Short title, extent and commencement.*— (1) This Act may be called the Goa Animal Breeding and Domestication (Regulation and Compensation) Act, 2025.

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

(3) It shall come into force at once.

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

(a) “breeding” means mating between two animals of either same or different breed to obtain offspring with desired traits;

(b) “community service” means the work which the Court may order a convict to perform as a form of punishment that benefits the community, for which he shall not be entitled to any remuneration.

(c) “competent authority” means an Officer not below the rank of the Deputy Collector authorised by the Government, by notification in the Official Gazette, to perform functions of the competent authority or functions incidental thereto under this Act;

(d) “Director” means Director of Animal Husbandry and Veterinary Services, Government of Goa;

(e) “domesticate” means keeping or possessing an animal;

(f) “ferocious animal” means dangerous and violent animal which may pose a danger to humans and other animals;

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

(h) “injury” means any bodily harm or hurt caused to any person or any animal;

(i) “Notification” means notification published in the Official Gazette;

(j) “owner” means the person in possession and control of an animal and includes any other person or any other organisation or association in possession or custody of such animal;

(k) “sterilize” means a procedure which removes the capacity of the animal to reproduce.

3. *Power to declare breed of animals to be ferocious animals.*— (1) The Government may, by notification published in the Official Gazette, declare any breed or class of animals to be ferocious animal.

(2) The Government, before issuing a notification under sub-section (1), shall issue a public notice inviting objections from the general public to the proposed notification.

(3) Any person intending to make any objection or suggestion may, within a period of fifteen days from the date of publication of notice under sub-section (2), forward the same to the Director.

(4) The Government may, after the expiry of said period of fifteen days and after considering the objections and suggestions under sub-section (3), issue a notification under sub-section (1) above.

4. *Prohibition on domestication and breeding of ferocious animals.*— (1) No person after issuance of notification under section 3, shall domesticate, breed or cause to breed any animal of the breed or class specified in the said notification issued under sub-section (1) of Section 3.

(2) No person after issuance of notification under Section 3 shall bring or cause to bring in the State of Goa, an animal of the breed or class as specified in such notification.

5. *Duties and liabilities of the Owner.*— (1) The owner of the animal which is declared to be ferocious animal under Section 3 shall be solely responsible for the actions of such ferocious animal and he shall also be liable if such ferocious animal injures any other human or animal.

(2) The owner of such ferocious animal which has been notified under Section 3 shall within 30 days from the publication of the notification, inform in writing to the Director about the existence of such ferocious animal in his possession, with such details and in such form as prescribed by rules.

(3) The owner of such ferocious animal shall, within 60 days from the issuance of notification under Section 3, sterilize or cause to sterilize such breed or class of animal and the Director shall upon application from the owner, shall issue a certificate confirming that the ferocious animal has been duly sterilized.

6. *Penalty.*— (1) Whoever domesticates, breeds or causes to breed any breed or class of animals in contravention of any of the provisions of this Act or the rules made thereunder, shall be punished with a simple imprisonment for a period which may extend to 3 months but shall not be less than 15 days, fine of rupees fifty thousand and community service.

(2) Whoever contravenes any of the provisions of this Act for which no separate penalty is specified in this Act, shall be punishable with a simple imprisonment for a period upto 1 month, fine of rupees fifty thousand and community service:

Provided that the court may, in its discretion having regard to the nature of the offence, the background of the accused and the circumstances of each case, order the accused to render community service in lieu of the imprisonment.

7. *Compensation.*— (1) Notwithstanding anything contained in this Act or any other law for the time being in force, any person who is injured and in case of death, the legal representative of such deceased person, may file a claim for compensation against the owner of any animal which has caused such injury or death.

(2) The claim shall be filed within six months from the date of the incident before the Competent Authority having jurisdiction over the region where the incident causing injury or death took place.

(3) The Competent Authority shall after conducting a summary inquiry as provided under Order XXXVII of the Code of Civil Procedure, 1908 (5 of 1908), decide such claim within 3 months of such claim being made.

(4) Any person aggrieved by the decision of the Competent Authority may file an appeal to the Administrative Tribunal of Goa, within 60 days from the date of the decision of the Competent Authority:

Provided that the Administrative Tribunal may for sufficient cause condone the delay in filing the appeal for a maximum period of 1 year.

(5) The order passed by the Administrative Tribunal shall be final and shall not be called in question in any original suit, application or execution proceeding and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this section.

(6) The remedy under this section shall not be in derogation of any civil or criminal remedy which is available to any person.

8. *Register of Ferocious Animals.*— The Director shall maintain a register containing all the particulars of the owners and the ferocious animals in possession of such owners.

9. *Power of Government to make rules.*— The Government may, by Notification in the Official Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

10. *Power to remove difficulty.*— If any difficulty arises in giving effect to the provisions of this Act, the Government, may, within 3 years of commencement of this Act, from time to time, by order published in the Official Gazette make such provisions, not inconsistent with the provisions of this Act, do or cause to be done anything which may be necessary or expedient for removing the difficulty.

11. *Protection of action taken in good faith.*— No suit, prosecution or other legal proceeding shall lie against the Government or the statutory authority or the appellate authority, officer, in respect of anything which is in good faith done or intended to be done in pursuance of this Act or of any rules or orders made thereunder.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to provide for regulation of breeding and domestication of animals and for the matters incidental thereto.

The Bill seeks to Prohibit domestication and breeding of ferocious animals.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2(c) of the Bill empowers the Government to authorize competent authority.

Clause 3(1) of the Bill empowers the Government to issue notification for declaring any breed or class of animals to be ferocious animal.

Clause 5 of the Bill empowers the Government to frame rules for specifying the form for providing information to the Director and details thereof.

Clause 9 of the Bill empowers the Government to make rules for the purpose of carrying into effect the provisions of the Act.

Clause 10 of the Bill empowers the Government to issue Order for removing difficulty which arises in giving effect to the provisions of this Act.

Porvorim-Goa.
16th July, 2025

NILKANTH HALARNKAR
Minister of Animal Husbandry
and Veterinary Services.

Assembly Hall,
Porvorim, Goa.
16th July, 2025

NAMRATA A. ULMAN
Secretary to the
Legislative Assembly of Goa.



LA/LEGN/2025/1683

The following bill which was introduced in the Legislative Assembly of the State of Goa on 31st July, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.



The Goa Tax on Infrastructure (Amendment) Bill, 2025

(Bill No. 32 of 2025)

A

BILL

further to amend the Goa Tax on Infrastructure Act, 2009 (Goa Act 20 of 2009).

BE it enacted by the Legislative Assembly of Goa in the Seventy-sixth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Tax on Infrastructure (Amendment) Act, 2025.

(2) It shall come into force at once.

2. *Amendment of Section 3.*— In Section 3 of the Goa Tax on Infrastructure Act, 2009 (Goa Act 20 of 2009) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) The tax or service charge on infrastructure payable under sub-section (1) shall be assessed and collected by the Competent Authority in two installments, 50% at the time of issue of Technical Clearance/Development Permission and 50% at the time of issue of Completion Certificate/Order”.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to substitute sub-section (5) of Section 3 of the Goa Tax on Infrastructure Act, 2009 (Goa Act 20 of 2009) so as to collect the infrastructure Tax/Service charge in two installments, 50% at the time of issue of Technical Clearance/Development Permission and 50% at the time of issue of Completion Certificate/Order.

This Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is involved in this Bill.

Place: Porvorim-Goa.
Date: July, 2025

VISHWAJIT RANE
Hon’ble Minister for Town and
Country Planning (TCP).

Assembly Hall,
Porvorim, Goa.
Dated: July, 2025

NAMRATA ULMAN
Secretary to the
Legislative Assembly of Goa.

ANNEXURE

Extract of Section 3 Sub-Section (5) of The Goa Tax on Infrastructure Act, 2009 (Act 20 of 2009)

(5) The tax or service charge on infrastructure payable under sub-section (1), shall be assessed and collected by the Competent Authority at the time of approving the construction plan or at the time of issuing construction licence.

Explanation:— While assessing the said tax or service charge under this Act,—

(a) where a building proposed to be constructed is in a land earmarked for commercial use/zone, the rate of tax or service charge applicable thereto shall be as applicable to commercial buildings irrespective of its use;

(b) where a building proposed to be constructed is in a land earmarked for other use or in zone other than commercial zone, in any plan in force, such as residential or settlement zone, where commercial utilization of building is done partly on the ground floor or any other floor, the rate of tax or service charge applicable to commercial buildings shall be charged only to the floor area which issued for commercial purpose while for other area of the building which is used for residential purpose, the rate applicable to residential building shall be charged while assessing infrastructure tax or service charge.

Assembly Hall,
Porvorim, Goa.
July, 2025

NAMRATA ULMAN
Secretary to the
Legislative Assembly of Goa.

—◆—
LA/LEGN/2025/1690

The following bill which was introduced in the Legislative Assembly of the State of Goa on 1st August, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

—
The Goa Public Universities Bill, 2025

(Bill No. 34 of 2025)

A

BILL

to provide for the establishment and incorporation of the Public Universities in the State of Goa for implementing the goals of National Education Policy, 2020, including multidisciplinary education, imparting quality and industry-relevant world-class higher education, for transforming Higher Education Institutions into Multidisciplinary Institutions and for matters connected therewith or incidental thereto.

BE it enacted by the Legislative Assembly of Goa in the Seventy-sixth 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 Public Universities Act, 2025.

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

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

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

- (a) “authorities” means the authorities of the Public University as specified by or under this Act;
- (b) “Chancellor” and “Vice-Chancellor” means respectively, the Chancellor and the Vice-Chancellor of the Public University;
- (c) “cluster college” means a college whose management has voluntarily agreed to be part of the Public University;
- (d) “Director of Higher Education” and “Director of Technical Education” means, respectively, Director of Higher Education of the Directorate of Higher Education, Government of Goa and Director of Technical Education of the Directorate of Technical Education, Government of Goa;
- (e) “fee” means tuition fees, other fees and charges, including developmental charges approved by the Public University;
- (f) “Government” means the Government of Goa;
- (g) “Government college” means a college that is established, managed, maintained, and funded by the Government;
- (h) “Government autonomous college” means a college that is declared as autonomous by the University Grants Commission, and which is established, managed, maintained, and funded by the Government;
- (i) “Government-aided college” means a college that is established, managed, and maintained by the management but funded by the Government in terms of salaries of the teaching and non-teaching staff and grants for the maintenance of the college as per the pattern of assistance issued by the Government from time to time;
- (j) “Government-aided autonomous college” means a college that is declared as autonomous by the University Grants Commission and established, managed and maintained by the management but funded by the Government in terms of salaries of the teaching and non-teaching staff and grants for the maintenance of the college as per the pattern of assistance issued by the Government from time to time;
- (k) “higher education” means the pursuit of knowledge beyond learning at the stage of higher secondary school education;
- (l) “inter-disciplinary studies” means the academic studies combined with research in different dependent disciplines as prescribed by statutes;
- (m) “management” means the administrative body of cluster college;
- (n) “multi-disciplinary studies” means the academic studies combined with research in different areas of a particular discipline as prescribed by Statutes;
- (o) “prescribed” means prescribed by Rules or Statutes or Ordinances or Regulations, as the case may be, made by or under this Act;
- (p) “Public University” means the Public University incorporated and established under sub-section (1) of section 3 of this Act;
- (q) “Statutes”, “Ordinances” and “Regulations” means, respectively, the Statutes, Ordinances and Regulations of the Public University made by or under this Act;
- (r) “student” means an individual who is admitted and registered for an academic discipline of the Public University with the cluster college;
- (s) “teacher” means full-time approved Professor, Associate Professor, Assistant Professor, Principal, and also includes the College Director of Physical Education and Sports and the College Librarian in any cluster college of the Public University;

(t) “University Grants Commission” means the University Grants Commission established under the University Grants Commission Act, 1956 (Act No. 3 of 1956).

CHAPTER II

Public Universities

3. *Establishment and Incorporation of Public University.*— (1) The Government may, by notification in the Official Gazette, establish a Public University comprising of a cluster of colleges as agreed to by the management of such colleges by notification in the Official Gazette and such cluster of colleges may include any Government college, Government autonomous college or Government-aided college or Government-aided autonomous college, fulfilling such norms or guidelines as laid down by the Government, from time to time.

(2) The Public University established under sub-section (1) shall be notified by such name for such Public University, and with effect from such date as may be specified in the notification published in the Official Gazette by the Government.

(3) The Public University shall comprise of such authorities and shall exercise such powers and perform such functions of the Public University as may be specified in the notification published in the Official Gazette by the Government.

(4) The Public University shall be a body corporate having perpetual succession and a common seal with powers to acquire, own, and dispose of property and to contract by its name:

Provided that no lease, sale, or transfer of such property shall be made without the prior consent of the Government.

(5) The Public University shall sue and be sued in its name. In all suits or other legal proceedings by or against such Public University, the pleadings shall be signed and verified by the Registrar. All processes in such suits and proceedings shall be issued and served on the Registrar.

4. *Objects of Public University.*— The object of the Public University, in general, shall be to disseminate, create and preserve knowledge and understanding by teaching-learning, research and development, skill development, training and education, extension and service to society and, in particular, the object shall be to,—

(i) carry out its responsibility of creation, preservation, and dissemination of knowledge;

(ii) integrate Indian knowledge systems, languages, arts and culture into the curriculum, thereby promoting national identity and heritage;

(iii) provide holistic and multidisciplinary world-class education by integrating arts, humanities, sciences, social sciences, technology, vocational studies, education and other disciplines of study to create a well-rounded learning experience;

(iv) leverage digital technology and online learning tools to enhance access to education, support blended learning, and improve pedagogical practices;

(v) promote discipline and the spirit of intellectual inquiry and to dedicate itself as a fearless academic community to the sustained pursuit of excellence and developing human resources fulfilling global aspirations;

(vi) facilitate enrolment of a large number of international students in the Public University by creating internationally relevant curricula in the sciences, social sciences and other disciplines of study and by providing meaningful opportunities for social engagement and setting up quality residential facilities and giving on-campus support;

(vii) encourage individuality and diversity within a climate of tolerance and mutual understanding;

(viii) promote freedom, secularism, equality, social justice, and scientific temper as enshrined in the Constitution of India, and be the catalyst in patriotic socio-economic transformation by promoting basic attitudes and values of essence to national development;

(ix) promote equity conducive environment for ensuring social harmony, co-existence, integral humanism, and upliftment of the poorest of the poor;

(x) promote inclusive education by ensuring equitable access for socially and economically disadvantaged groups, including women, scheduled castes, scheduled tribes, and persons with disabilities;

(xi) extend the benefits of knowledge and skills for the development of individuals and society by associating the Public University closely with local, regional, and national problems of development;

(xii) carry out social responsibility as an informed and objective critic, to identify and cultivate talent, to train the right kind of leadership in all walks of life, and to help the younger generation to develop the right attitudes, interests, and values;

(xiii) promote equitable distribution of teaching, learning, training, and other support services facilities of higher education;

(xiv) provide for efficient and responsive administration, scientific and technology management, and develop organisation of teaching, learning, training, research, and extension;

(xv) devise motivational systems to ensure that individual cognitive abilities are not constrained but rather the innovative spirit and desire to make true contributions and realise self-achievement is nurtured;

(xvi) promote the acquisition of knowledge in a rapidly developing and changing society and continually offer opportunities for upgrading knowledge, training, and skills in the context of innovations, research, and discovery in all fields of human endeavour by developing a higher educational network with the use of modern communication media, information and communication technology and other emerging and future technologies appropriate for a learning society;

(xvii) foster a culture of high-quality research, innovation, and knowledge creation across diverse disciplines to address national and global challenges and provide greater mobility to students in India who wish to visit, study at, transfer credits to, or carry out research at institutions abroad;

(xviii) engage in global academic partnerships, faculty exchange programs, and research collaborations to enhance the quality and impact of education and research;

(xix) facilitate opportunities for lifelong learning, professional development, and adult education to support continuous personal and professional growth;

(xx) promote national integration, fraternity and preserve cultural heritage and inculcate respect towards different religions and diverse cultures of India through the study of different religions, literature, history, science, art, civilisations and cultures;

(xxi) undertake initiatives that contribute to environmental sustainability, social responsibility, and ethical leadership in line with sustainable development goals and national development goals;

(xxii) develop work culture and promote the dignity of labour through applied components in the syllabi;

(xxiii) build up financial self-sufficiency by undertaking academic teaching, learning, training and allied programmes, research and development activities for public and private industries, Governmental organisations at local, regional, national and global levels and resource generative services in a cost-effective manner;

(xxiv) develop industry-relevant skills among students through vocational education, internships, apprenticeships, and collaboration with industry partners;

(xxv) ensure transparent and effective governance structures, uphold academic integrity, and continuously improve educational standards in accordance with national and international benchmarks;

(xxvi) promote better interaction and coordination among different cluster colleges in the given Public University, other universities in the State, in the region, in the nation and at the global level by all such means generally to improve the governance of the Public University and the facility it provides for higher education;

(xxvii) generate and promote a sense of self-respect and dignity amongst all sections of society and build a knowledge-driven society;

(xxviii) promote gender equality and sensitivity in society;

(xxix) strive to promote competitive merit and excellence as the sole guiding criterion in all academic and other matters relating to students.

5. *Powers and duties of Public University.*— The Public University shall have the following powers and duties, namely:—

(i) to provide for instructions, extension, teaching, learning and training in such branches or courses or disciplines and academic programmes, including any system that may emerge in future, as the Public University may, from time to time, determine;

(ii) to make provision for research and for the advancement and dissemination of knowledge, and generally to cultivate and promote all the branches of learning and culture and their multi-disciplinary and inter-disciplinary areas;

(iii) to make provision for integrated programmes in natural and physical sciences, mathematics, statistics, and computer applications, library, information, and media sciences, commerce and management, humanities, social sciences, engineering, technology, and other disciplines of study and for their multi-disciplinary and inter-disciplinary areas with a thrust on frontier areas of knowledge;

(iv) to evolve appropriate strategies and frameworks for curricular development, teaching-learning and evaluation, research and consultancy, development and sustenance of innovative practices in teaching, learning, training, and research, providing for the alignment of the Public University's objectives with quality concerns, global standards and those of the National Education Policy 2020;

(v) to develop academia-industry collaborations and to establish close linkage with industry to make teaching-learning and research relevant to the needs of the economy at the national and global level and for enhancing the employable skills of the students;

(vi) to determine the criterion for admission in the cluster colleges under its jurisdiction, which may include examination, evaluation or any other method of testing, including testing by the electronic mode;

(vii) to demand and receive payment of such fees and other charges from students as may be authorised it to receive;

(viii) to hold examinations and to grant and confer degrees, diplomas, certificates and other academic distinctions on persons who have pursued disciplines in the cluster colleges;

(ix) to confer honorary degrees or other distinctions on approved persons in the manner laid down in the Ordinances;

(x) to collaborate with other Universities and authorities in such manner and for such purposes as the Public University may determine;

(xi) to institute Chairs in the Public University and establish such specialised centres or laboratories or other units for research and instruction as, in the opinion of the Public University, are necessary for the furtherance of its objectives;

- (xii) to establish and maintain research departments/institutions in the Public University and make provision for research, advisory, and consultancy services;
- (xiii) to collaborate with other National and International institutions in conducting research and higher education subject to the provisions of the University Grants Commission Act, 1956 (Act 3 of 1956), and the regulations made thereunder;
- (xiv) to institute awards, fellowships and scholarships for the students of the Public University;
- (xv) to inspect the facilities and academic infrastructure of the cluster colleges and take measures to ensure proper standards of instruction;
- (xvi) to supervise and ensure proper conduct and discipline of the students in the Public University and cluster colleges;
- (xvii) to make arrangements for counselling and promoting the health and general welfare of the students in the Public University and cluster colleges;
- (xviii) to give special attention to the improvement of the economic and social conditions and welfare of the students and their educational and cultural development;
- (xix) to make special arrangements in respect of the residence, discipline and teaching of women students;
- (xx) to provide access to higher education for students with disabilities by way of making special provisions;
- (xxi) to make grants from the funds of the Public University for assistance to forms of extra-mural teaching and extension services;
- (xxii) to seek collaboration with other institutions on mutually acceptable terms and conditions in different branches of learning;
- (xxiii) to enter into Memorandums of Understanding (MoUs) with national and international institutions, industries, research organisations, and Governmental bodies for academic, research, training, and knowledge-sharing purposes with an aim to promote faculty and student exchange programs, joint research initiatives, curriculum development, skill enhancement, and capacity-building activities;
- (xxiv) to institute/take over/maintain/outsourcing hostels and hostel services;
- (xxv) to institute Professorship, Associate Professorship, Assistant Professorship and any other teaching or academic posts as required by the Public University with the approval of the Government;
- (xxvi) to create administrative and ministerial and other necessary posts and to make appointments thereto with the approval of the Government;
- (xxvii) to lay down conditions of service for all categories of employees, including their code of conduct as per norms specified by the Government and the University Grants Commission from time to time;
- (xxviii) to maintain such bodies as are declared by the Statutes to be the Authorities of the University;
- (xxix) to acquire, hold, manage and dispose of property for the purposes of the Public University;
- (xxx) to create and provide access to the state-of-the-art facilities;
- (xxxi) to participate in world institutional ranking in order to have global reputation;
- (xxxii) to borrow, on the security of Public University property, money for the purposes of the Public University with the approval of the Government;
- (xxxiii) to receive donations, endowments, grants, and contributions from individuals, corporate entities, philanthropic organisations, and other sources, which shall be utilised solely for academic and research activities, scholarships, infrastructure development and student welfare;

(xxxiv) to frame Statutes, Ordinances and Regulations for carrying out the objects of the Public University in accordance with the provisions of this Act;

(xxxv) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the Public University as a teaching and examining body and to cultivate and promote all branches of learning in the Public University.

6. *Public University to be non-affiliating and State funded.*— (1) The Public University shall function as a non-affiliating university and shall not have the power to admit any college or institution to the privilege of affiliation.

(2) The Public University shall be funded through the Consolidated Fund of the State.

7. *Public University to provide equal opportunities to all.*— No person shall be excluded from holding any office in the Public University or from the membership of any of the authorities of the Public University or from admission to any degree, diploma, or other distinction or academic programme on grounds only of religion, race, caste, sex, place of birth, or any of them, and the Public University shall not adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto as a teacher or student or to hold any office therein or to qualify for any degree, diploma, or other distinction or to enjoy or exercise any of the privileges of the Public University:

Provided that the Public University may reserve seats in the Public University or cluster colleges for scheduled castes, scheduled tribes, members of socially and educationally backward or economically weaker classes, women, and persons with disabilities or allot seats as per the norms of the Government.

CHAPTER III

Officers of The Public University

8. *Officers of the Public University.*— The following shall be the Officers of the Public University:

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Deans;
- (iv) the Principals of Cluster Colleges;
- (v) the Registrar;
- (vi) the Heads of Departments in Cluster Colleges;
- (vii) the Finance Officer;
- (viii) the Controller of Examinations; and
- (ix) such other Officers as may be declared by the Statutes to be the Officers of the University.

9. *Chancellor and his powers.*— (1) The Governor of the State of Goa shall be the Chancellor of the Public University established under this Act.

(2) The Chancellor shall, by virtue of his office, be the Head of the Public University and shall, when present, preside at the Convocation of the Public University for conferring degrees, diplomas, charters, designations or certificates.

(3) The Chancellor shall, on receiving a reference from the Government or may, in any matter suo motu or otherwise, call for a report or an explanation or such information and record relating to such matter or any matter or affairs of the Public University or cluster college, and shall, after considering such report or explanation, or information or record, issue such directions thereupon as may be deemed fit in the interest of

the Public University, cluster college or student or larger interest of the public, and his directions shall be final and shall be complied with by the Public University forthwith.

(4) The Chancellor may, by order in writing, annul any proceeding of the Public University which is not in conformity with this Act, Statutes, Ordinances and Regulations:

Provided that before making any such order, the Chancellor shall give notice calling upon the Public University to show cause why such an order should not be made, and if any cause is shown within the time specified therefor in the said notice, shall consider the same.

(5) The Chancellor may initiate proceedings, consistent with the provisions of this Act, against any officer of the Public University for violation and/or endorsing the violations of the statutory provisions of this Act, Statutes, Ordinances and Regulations.

(6) The Chancellor shall exercise such other powers and perform such other duties as may be conferred on or vested in him by or under the provisions of this Act, Statutes, Ordinances and Regulations.

10. *The Vice-Chancellor.*— (1) The Vice-Chancellor shall be a person of proven competence, integrity, morals, and institutional commitment and the qualifications for the post shall be as per the guidelines issued by the University Grants Commission.

(2) The Vice-Chancellor shall be appointed by the Chancellor in consultation with the Government. The Vice-Chancellor shall be a full-time salaried Officer of the Public University.

(3) The appointment of the Vice-Chancellor shall be as per the procedure laid down under the statutes.

(4) The Vice-Chancellor shall, subject to the pleasure of the Chancellor, hold office for a term of five years from the date on which he enters upon his office but not beyond sixty-five years of age.

(5) If at any time, upon the representation made or otherwise, and after making such inquiry, as may be deemed necessary, the situation so warrants and if the continuance of the Vice-Chancellor is not in the interest of the Public University, the Chancellor with the prior approval of the Government, may by an order in writing, remove the Vice-Chancellor from his office from such date as may be specified in the order:

Provided that before taking an action under this subsection, the Vice-Chancellor shall be given an opportunity to be heard:

Provided further that the Chancellor may suspend the Vice-Chancellor pending such enquiry if the situation so warrants.

(6) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise powers of general superintendence over the University;

(7) The Vice-Chancellor, in the absence of the Chancellor, shall preside at the Convocation of the University for conferring Degrees, Diplomas, Charters, Designation or Certificates.

(8) The Vice-Chancellor shall exercise general control over all the affairs of the Public University, officers, teaching and non-teaching staff and shall be responsible for the due maintenance of discipline.

(9) The Vice-Chancellor shall ensure the faithful observance of the provisions of this Act, Statutes, Ordinances and Regulations and shall exercise all such powers as may be necessary in this behalf.

(10) The Vice-Chancellor shall exercise such other powers and discharge such other duties as may be provided by this Act, Statutes, Ordinances and Regulations.

11. *The Deans.*— The Deans shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such functions as may be specified by Statutes, Ordinances and Regulations.

12. *The Principals of Cluster Colleges.*— (1) The Principals of cluster colleges shall be appointed by the respective Management of the cluster colleges with the approval of the Vice-Chancellor as per the procedure prescribed by the Statutes.

(2) The Principals of cluster colleges shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for re-appointment for another term of five years.

(3) The Principals of cluster colleges shall exercise such powers and perform such duties as may be prescribed by the Statutes.

13. *The Registrar.*— (1) The Registrar shall be appointed in such manner, and the term of the office shall be such as may be specified by the Statutes.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the Public University as may be specified by the Statutes.

(3) The Registrar shall be responsible for the due custody of the records and the common seal of the Public University and shall be bound to place before the Chancellor, the Vice-Chancellor or any other authority all such information and documents as may be necessary for the transaction of their business.

(4) The Registrar shall be the ex-officio Member - Secretary of the Executive Council and the Academic Council and shall exercise such powers and perform such functions as may be specified by Statutes, Ordinances and Regulations.

14. *The Heads of Departments in Cluster Colleges.*— The Heads of Departments in Cluster Colleges shall be appointed by Principals of cluster colleges in such manner and shall exercise such powers and perform such functions as may be specified by Statutes, Ordinances and Regulations.

15. *The Finance Officer.*— (1) The Finance Officer shall be an officer of the Public University appointed by the Executive Council from out of a panel of three officers recommended by the Government and on such terms and conditions as may be prescribed by the Statutes:

Provided that the officers recommended by the Government shall be persons having at least 7 years of experience in any Government Department in maintaining accounts, preparing estimates and expenditures and handling other connected matters related to accounts, establishment and administration and must have served at least 3 years out of 7 in a position in any Government Department not below the pay level 10.

(2) The Finance Officer shall maintain the accounts of the Public University and advise the Public University on all matters relating to the income and expenditure of the Public University.

(3) The Finance Officer shall act as the Member-Secretary of the Finance Committee and participate in the discussions thereof but shall not be entitled to vote.

(4) The Finance Officer shall exercise such powers and perform such other duties as may be prescribed by the Statutes.

16. *The Controller of Examinations.*— The Controller of Examinations shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such functions as may be specified by the Statutes, Ordinances and Regulations.

17. *Other Officers.*— The manner of appointment, terms and conditions of service and powers, duties and functions of other officers of the University shall be such as may be specified by Statutes, Ordinances and Regulations.

CHAPTER IV

Authorities of The Public University

18. *Authorities of the Public University.*— The following shall be the Authorities of the Public University:

- (1) The Governing Body;
- (2) The Executive Council;
- (3) The Academic Council;
- (4) The Finance Committee;

(5) Such other Body, Council and Committee as may be declared by the Statutes to be the authority of the Public University.

19. *The Governing Body.*— (1) The Constitution of the Governing Body shall be as follows:—

- (i) The Chancellor, who shall be the Chairperson;
- (ii) The Vice-Chancellor;
- (iii) The Secretary in the Department of Education, Government of Goa;
- (iv) The Secretary in the Department of Finance, Government of Goa;
- (v) Management representatives of each Cluster College;
- (vi) Principals of each Cluster College;
- (vii) Five outstanding academicians or persons having outstanding research work in various disciplines to be nominated by the Government, three of whom shall be from outside the State of Goa;
- (viii) Three industry experts or industrialists nominated by the Government;
- (ix) One Member from amongst the retired judicial officers of the State nominated by the Government who shall also be a member of the Executive Council;
- (x) Any three Deans of the Public University to be nominated by the Vice-Chancellor;
- (xi) The Finance Officer of the Public University;
- (xii) The Controller of Examinations of the Public University;
- (xiii) The Registrar of the Public University shall be the Member Secretary.

(2) Subject to the provisions of this Act, the Governing Body shall discharge the following functions, namely:—

- (a) to review, from time to time, the broad policies and programs of the Public University and suggest measures for the working, improvement and development of the Public University;
- (b) to consider and pass resolutions on the annual report and annual accounts of the Public University and audit report of such accounts;
- (c) to advise the Chancellor in respect of any matter which may be referred to it for advice;
- (d) to perform such other functions and in such manner as may be specified by the Statutes, Ordinances and Regulations.

(3) The quorum, term of office of members of the Governing Body shall be such as may be specified by the Statutes.

(4) The Governing Body shall meet at least once in a calendar year at such time and place as the Chancellor deems fit.

20. *The Executive Council.*— (1) The Executive Council shall be the principal executive body of the Public University.

(2) The Constitution of the Executive Council shall be as follows:—

- (i) The Vice-Chancellor, who shall be the Chairperson;
- (ii) The Secretary in the Department of Education, Government of Goa;
- (iii) The Secretary in the Department of Finance, Government of Goa;
- (iv) The Vice-Chairperson of Goa State Higher Education Council;
- (v) The Chairperson of Goa State Research Foundation;
- (vi) The Director of Higher Education, Government of Goa;
- (vii) The Director of Technical Education, Government of Goa;
- (viii) Any three Management representatives of Cluster Colleges other than Government Colleges to be nominated by the Government, preferably on rotation basis;
- (ix) Any three Principals of Cluster Colleges to be nominated by Vice-Chancellor, preferably on rotation basis;
- (x) Five outstanding academicians from various disciplines to be nominated by the Government, three of whom shall be from outside the State of Goa;
- (xi) Three senior scientists/fellows from reputed research institutions to be nominated by the Vice-Chancellor;
- (xii) Three persons of eminence representing professional fields like medicine, engineering, business, law, banking, etc. or industry nominated by the Government;
- (xiii) One Member from amongst the retired judicial officers of the State nominated by the Government who shall also be a member of the Executive Council;
- (xiv) Any three Deans of the Public University to be nominated by Vice-Chancellor;
- (xv) One College Director of Sports and Physical Education from Cluster Colleges to be nominated by the Vice-Chancellor, preferably on rotation basis;
- (xvi) One Librarian from Cluster Colleges to be nominated by the Vice-Chancellor, preferably on rotation basis;
- (xvii) The Finance Officer of the Public University;
- (xviii) The Controller of Examinations of the Public University;
- (xix) The Registrar of the Public University shall be the Member Secretary.

(3) The quorum, the term of office of its members, its powers and functions shall be such as may be specified by the Statutes.

21. *The Academic Council.*— (1) The Academic Council shall be the principal academic body of the Public University, and it shall, subject to the provisions of this Act, the Statutes, Ordinances and Regulations, co-ordinate and exercise general supervision over the academic policies of the Public University.

(2) The constitution of the Academic Council, the term of office of its members and its powers and functions shall be such as may be specified by the Statutes.

22. *The Finance Committee.*— (1) The Finance Committee shall be the principal financial body of the University to take care of all financial matters.

(2) The constitution, the term of office of its members and its powers and functions shall be such as may be specified by the Statutes.

23. *Other authorities.*— The constitution, the term of office of members and powers and functions of such other authorities of the Public University which may be declared by the Statutes to be authorities of the Public University, shall be such, as may be specified by the Statutes.

24. *Disqualification from membership of the authority.*— A person shall be disqualified from holding an office or being a member of any authority of the Public University if that person:—

- (i) is of unsound mind and stands so declared by a competent court;
- (ii) is an undischarged insolvent;
- (iii) has been convicted of any offence involving moral turpitude;
- (iv) has been punished for indulging in or promoting unfair practice in the conduct of any examination, in any form, anywhere;
- (v) has any profit motive from the University; and
- (vi) uses University fund for his personal benefits.

25. *Vacancies not to invalidate the proceedings of any authority or body of the University.*— No decision, act or proceeding of any authority or body of the Public University shall be invalid merely by reason of any vacancy or defect in the constitution thereof.

26. *Filling up of Vacancies.*— Any vacancy arising in the office of a member of any authority or body of the Public University due to the death, resignation or removal of a member or due to a change of capacity in which he/she was appointed or nominated shall be filled up as early as possible by the person or the body who had appointed or nominated such a member:

Provided that such person shall remain member of such authority or body, for remainder of the term of such member.

27. *Committees.*— The authorities or officers of the Public University may constitute such committees with such terms of reference as may be necessary for specific tasks to be performed by such committees. The constitution of such committees and their duties shall be such as may be determined by the authority or officers constituting the Committee.

CHAPTER V

Statutes, Ordinances and Regulations

28. *Statutes.*— Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

- (a) the appointment, powers and duties of the officers of the Public University, their emoluments, and their terms and conditions of service;
- (b) the constitution, powers and functions of the authorities and other bodies of the Public University as may be constituted from time to time;
- (c) the appointment and continuance in office of the members of the said authorities and bodies, the filling of vacancies of members, and all other matters relating to those authorities and other bodies for which it may be necessary or desirable to provide;
- (d) the conferment of honorary degrees;
- (e) the procedure for resolving disputes between the Public University and its officers, faculty members, employees and students;
- (f) the appointment of the teachers of the Public University and other academic staff and the emoluments and other terms and conditions of their service;

- (g) the appointment of teachers and other academic staff working in Public University or organisation for a specified period to undertake a joint project;
- (h) the creation, abolition, or restructuring of departments and faculties;
- (i) the conditions of service of employees, including provision for pension and provident fund, the manner of termination of service and disciplinary action;
- (j) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of Public University;
- (k) the establishment of Centres of studies, Board of studies, Special centres, Specialised Laboratories, and other centres;
- (l) the establishment and recognition of the Students Council or other associations of teachers, academic staff, or other employees;
- (m) participation of the students in the affairs of the Public University;
- (n) the withdrawal of degrees, diplomas, certificates, and other academic distinctions;
- (o) the institution of fellowships, scholarships, studentships, medals and prizes;
- (p) the maintenance of discipline amongst students;
- (q) the delegation of powers vested in the authorities or officers of the Public University;
- (r) the manner of cooperation with other Universities or Institutions of higher learning;
- (s) the fee chargeable from students for various programmes of studies, and
- (t) all other matters which by this Act are to be, or may be, provided by the Statutes.

29. *How Statutes are made.*— (1) The Executive Council shall make the Statutes and seek the approval of the Chancellor for carrying out the purposes of this Act.

(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal such Statutes:

Provided that the Executive Council shall not make, amend, or repeal any Statute affecting the status, powers, or constitution of any authority of the Public University until such authority has been given an opportunity to express an opinion in writing on the proposed changes and any opinion so expressed shall be considered by the Executive Council.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of such Statutes shall require the approval of the Chancellor, which may assent thereto or withhold assent or remit the same to the Executive Council for consideration.

(4) A new Statute or a Statute amending or repealing such Statutes shall have no validity unless it has been assented to by the Chancellor and further approved by the Government.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Government shall have the power to prescribe uniform Statutes on various subjects through publication in the Official Gazette, which shall be binding on the Public universities.

30. *Ordinances and Regulations.*— (1) Subject to the provisions of this Act, the Ordinances and Regulations may provide for all or any of the following matters, namely:—

- (a) the admission of students to the Public University and their enrolment and continuance as such;
- (b) the academic programmes to be laid down for all Degrees, Diplomas, Certificates, Charters and other academic distinctions of the Public University;

- (c) the award of degrees, diplomas, certificates and other academic distinctions of the Public University, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;
- (d) the accounting policy and financial procedure;
- (e) the conditions of the award of fellowships, scholarships, studentships, medals and prizes;
- (f) the conduct of examinations and the conditions and mode of appointment and duties of examining bodies, examiners, invigilators, tabulators and moderators;
- (g) the fees to be charged for academic programmes in the Public University and for admission to the examinations for Degrees, Diplomas, Certificates, Charters and other academic distinctions of the Public University, including the revision thereof;
- (h) the alteration of the number of seats in different programmes;
- (i) the maintenance of discipline among the students of the Public University;
- (j) the conditions of residence of the students at the Public University;
- (k) the special arrangements, if any, which may be made for the residence, discipline and teaching of female students and the prescribing of special programmes of studies for them;
- (l) the appointment and emolument of employees other than those whom provision has been made in the Statutes;
- (m) the manner of co-operation, collaboration or association with other Universities or authorities;
- (n) the creation, composition and function of any other body which is considered necessary for improving the academic life of a Public University;
- (o) such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes;
- (p) the management of cluster colleges of the Public University;
- (r) the management of departments of the Public University.

(2) The authorities of the Public University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the committees appointed by them and not provided for by this Act, the Statutes or the Ordinances in the manner prescribed by the Statutes.

31. *How Ordinances and Regulations are made.*— (1) The Vice-Chancellor shall make the first Ordinance and first Regulations with the prior approval of the Governing Body, and the Ordinances and Regulations so made may be amended, repealed, or added to at any time by the Executive Council in the manner prescribed by the Statutes.

(2) The Academic Council may propose new or additional Ordinances and Regulations.

(3) Every New Regulation or addition to the Ordinances or any amendment or repeal of a Regulation or Ordinance shall require the approval first of the Executive Council and finally of the Governing Body.

32. *Publication of Statutes, Ordinances and Regulations.*— (1) Every Statute or Ordinance or Regulation made under this Act shall be made available in the public domain.

(2) Each New Statute or Ordinance or Regulation made under this Act shall be enforced as soon as it is made by the competent authority of the Public University.

CHAPTER VI

Transitional Provisions

33. *First Appointment of Officers and Authorities.*— Notwithstanding anything contained in this Act and the Statutes—

(a) the first Vice-Chancellor, first Registrar and first Finance Officer shall be nominated by the Government for a term of two years;

(b) the first Deans and the first Controller of Examinations shall be nominated by the Chancellor with the approval of the Government for a term of two years;

(c) The Principals of the Cluster Colleges holding office at the time of issuance of the notification under sub-section (1) of Section 3 of this Act shall be deemed to be the first Principals of the Cluster Colleges.

(d) The first Executive Council, the first Academic Council and the first Finance Committee shall be constituted by the Governing Body with the approval of the Government for a term of two years.

34. *Teaching staff of Cluster colleges.*— (1) The teaching staff of the Cluster Colleges upon establishment of the Public University shall be deemed to be the staff of the Public University:

Provided that the terms and conditions in force at the time of the commencement of this Act, relating to teaching staff, including superannuation, removal or termination, salaries, and pension except career advancement or promotion, shall continue to be in effect and these matters shall continue to be with the management of the Cluster Colleges.

(2) The provisions as regards career advancement or promotion of the teaching staff of such cluster colleges shall be as specified by the Statutes of the Public University.

35. *Non-Teaching staff of Cluster colleges.*— (1) The non-teaching staff of the Cluster Colleges upon establishment of the Public University shall be deemed to be the staff of the Public University:

Provided that the terms and conditions in force at the time of the commencement of this Act relating to non-teaching staff, including superannuation, removal or termination, salaries, and pension except financial upgradation or promotions, shall continue to be in effect and these matters shall continue to be with the management of the Cluster Colleges.

(2) The provisions as regards financial upgradation or promotions of the non-teaching staff of the cluster colleges shall be governed by rules, regulations, office memorandum or circulars issued by the Government from time to time.

36. *Students of Cluster colleges.*— Students of cluster colleges who were studying for a degree, diploma or certificate, as the case may be, in accordance with the regulation in force under the respective Act under which the Goa University was established, immediately prior to the establishment of the Public University shall continue to be the students of the Goa University for the period required for the completion of the said academic program.

37. *Assets and liabilities of Cluster colleges.*— (1) The assets and liabilities of the cluster colleges shall continue to be with the management of the cluster colleges, and it shall be deemed that the management has permitted the use of its buildings and ancillary structures to the Public University for administrative and academic purposes only.

(2) All suits and legal proceedings in the name of the management of the cluster colleges which are pending immediately prior to the establishment of Public university under sub-section (1) of Section 3 of this Act shall continue to be the suits and legal proceedings of the management of the cluster colleges.

38. *Disaffiliation of Cluster Colleges.*— The cluster colleges shall stand disaffiliated from Goa University, Goa, upon establishment of Public University under sub-section (1) of section 3 of this Act except until the batches of the students or students who have been admitted and enrolled for the various academic programmes offered by the Cluster colleges affiliated to Goa University, Goa has completed that duration of years for completion of the academic programmes under which they have been admitted and enrolled.

CHAPTER VII

Miscellaneous

39. *Annual Accounts.*— (1) The annual accounts and balance sheet of the Public University shall be prepared under the directions of the Executive Council and shall, at least once every year and at intervals of not more than fifteen months, be audited by an experienced and qualified Chartered Accountant.

(2) A copy of the annual accounts, together with the audit report thereon, shall be submitted to the Governing Body and the Chancellor along with the observations of the Executive Council.

(3) Any observations made by the Chancellor on the annual accounts shall be brought to the notice of the Governing Body and the Executive Council, and the observations, if any, shall, after review by the Executive Council, be submitted to the Chancellor and shall be put in the public domain.

40. *Annual Report.*— (1) The annual report of the Public University shall be prepared under the directions of the Executive Council and shall be submitted to the Governing Body on or after such date as may be specified by the Statutes and the Governing Body shall consider the report in its annual meeting.

(2) The Governing Body shall submit the annual report to the Chancellor along with its comments, if any.

41. *Convocation.*— The convocation of the Public University shall be held every academic year in the manner as may be specified by the Statutes and Ordinances for conferring Degrees, Diplomas, Charters, Designation, Certificates or for any other purpose.

42. *Accreditation of the Public University.*— The Public University shall obtain accreditation from the National Assessment and Accreditation Council (NAAC), Bengaluru and inform the Government about the grade provided by NAAC to the Public University and the Public University shall get renewed such accreditation from time to time.

43. *Mode of proof of Public University records.*— A copy of any receipt, application, notice, order, proceeding, resolution of any authority or Committee of the Public University or other documents in possession of the Public University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding or resolution, document or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced have been admissible in evidence.

44. *Conditions of service of employees.*— Every new employee of the Public University shall be appointed under a written contract, which shall be kept in the Public University and a copy thereof shall be furnished to the employee concerned.

45. *Disciplinary action.*— Disciplinary action against the students or employees shall be governed by such procedure as may be prescribed in the statutes.

46. *Right to appeal.*— Every employee or student of the Public University shall, notwithstanding anything contained in this Act, have a right to appeal, within such time as may be prescribed to the Executive Council against the decision of any officer or authority of the Public University and the Executive Council may confirm, modify or vary such decision.

47. *Disputes as to the constitution of Public University Authorities and bodies.*— If any question arises as to whether any person has been duly appointed or is entitled to be a member of any authority or other body of the

Public University, the matter shall be referred to the Chancellor of the Public University, whose decision on such question shall be final.

48. *Constitution of Committees.*— Where any authority of the Public University is given power under this Act or the Statutes to appoint Committees, such Committees shall save as otherwise provided, consist of the members of the authority concerned and of such other persons as the authority in each case may think fit.

49. *Powers of the Government to inspect the Public University.*— (1) For the purpose of ascertaining the standards of teaching, learning, examinations and research or any other matter relating to the Public University, the Government may cause an assessment to be made in such manner as may be prescribed.

(2) The Government shall communicate to the Public University its recommendations in regard to the result of such assessment for corrective action and the Public University shall take such corrective measures as are necessary so as to ensure the compliance of the recommendations.

(3) If the Public University fails to comply with the recommendations made under sub-section (2) within a reasonable time, the Government may give such directions as it deems fit, which shall be binding on the Public University.

50. *Dissolution of University.*— (1) If the Governing Body proposes the dissolution of the Public University, it shall make such proposal at least three months in advance in writing to the Government.

(2) On identification of mismanagement, maladministration, indiscipline, failure in the accomplishment of the objects of the Public University and economic hardships in the management systems of the Public University, the Government may, subject to and in accordance with the relevant law, if any, for the time being in force, issue directions to the Governing Body of the Public University and if the directions are not followed within such time as may be prescribed, the right to take decision, for dissolution of the Public University, shall vest in the Government.

(3) The manner of dissolution of the University would be such as may be prescribed by the Government in this behalf.

(4) If the Government considers it necessary to suspend the Executive Council, it shall, by notification published in the Official Gazette, order suspension of the Executive Council and shall make such arrangement in consultation with the Governing Body for the administration of the business of the Public University till the completion of investigation as it may consider necessary:

Provided that no such action to be initiated without affording a reasonable opportunity of being heard.

(5) On receipt of the proposal under sub-section (1) or on a decision to dissolve under sub-section (2), the Government shall in consultation with the University Grant Commission, and other concerned Regulatory Bodies of Central or State Government make such arrangements for administration of the Public University from the proposed date of dissolution or winding up of the Public University until the last batch of the students in regular programmes of studies of the Public University complete their programmes of studies in such manner as may be prescribed.

51. *Expenditure of the Public University during dissolution.*— (1) The expenditure for the administration of the Public University during the takeover period of its management shall be met out of the funds of the Public University and the Cluster colleges.

(2) If the funds referred under sub-section (1) are not sufficient to meet the expenditure of the Public University during the take-over period of management, such expenditure may be met by disposing of the properties or assets of the Public University by the Government.

52. *Status of Assets/Liabilities on dissolution/de-recognition.*— All assets and properties, including funds of the Public University and also the liabilities of the Public University, shall belong to the Government and respective management of the cluster colleges in case of dissolution of the Public University.

53. *Protection of action taken in good faith.*— (1) No suit or other legal proceedings shall lie against any officer or other employee of the Public University and cluster colleges for anything which is done in good faith or intended to be done in pursuance of the provisions of this Act, the Statutes, the Ordinances or the Regulations.

(2) Nothing in sub-section (1) shall be a bar for filing suits, prosecutions or other legal proceedings for anything done in contravention of the provisions of this Act, the Statutes or the Ordinances made thereunder, and any other law for the time being in force.

54. *Power to issue Directions.*— It shall be competent for the Government to issue directions to the Public University from time to time for the purpose of carrying out the objectives of this Act.

55. *Power to make rules.*— (1) The Government may, by notification, make rules for carrying out the provisions of this Act.

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

56. *Power to remove difficulties.*— If any difficulty arises in giving effect to any of the provisions of this Act, the Government may, by order not inconsistent with the provisions of this Act, remove the difficulty:

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

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

57. *Act to have overriding effect.*— The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other similar law for the time being in force.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to provide for the establishment and incorporation of the Public Universities in the State of Goa for implementing the goals of National Education Policy 2020, including multidisciplinary education imparting quality and industry-relevant world-class higher education and for transforming higher education institutions into multidisciplinary institutions and for matters connected therewith or incidental thereto.

This Bill seeks to achieve the aforesaid above object.

FINANCIAL MEMORANDUM

Clause 6 of the Bill provides that the Public University shall be funded through the Consolidated Fund of the State. However, the extent of financial implications towards the establishment of public universities cannot be quantified at this stage.

A provision for Rs. 25,00,00,000/- (Rupees Twenty-Five Crores) is to be made for expenses towards the establishment of the Public Universities in the State of Goa for the initial stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1 (3) of the Bill empowers the Government to issue notification for appointing the date to bring into force the Act.

Clause 3 (1) of the Bill empowers the Government to issue a notification to establish a Public University comprising of cluster of colleges, including any Government college, Government autonomous college, Government-aided college or Government-aided autonomous college, fulfilling such norms or guidelines as laid down by the Government, from time to time.

Clause 49 of the Bill empowers the Government to frame rules for specifying the manner in which assessment to be made for ascertaining the standards of teaching, learning, examinations and research or any other matter relating to the Public University.

Clause 50 of the Bill empowers the Government to frame rules for specifying the time within which the directions issued by the Government to the Governing Body of the Public University are to be followed and also to frame rules for specifying the manner of dissolution of the Public University and the manner in which the last batch of students in regular programmes of studies of the Public University complete their programmes of studies.

Clause 55 of the Bill empowers the Government to frame rules for carrying out the provisions of the Act.

Clause 56 of the Bill empowers the Government to make Order for removing difficulty while implementing the provisions of the Act.

These delegations are of normal character.

Place: Porvorim-Goa.
Dated: 1st August, 2025

DR. PRAMOD SAWANT
Hon'ble Minister for Education.

Assembly Hall,
Porvorim, Goa.
Dated: 1st August, 2025

NAMRATA ULMAN
Secretary to the
Legislative Assembly of Goa.

Governor's Recommendation Under Article 207 of The Constitution of India.

In pursuance of Article 207 of the Constitution of India, I, Pusapati Ashok Gajapathi Raju, the Governor of Goa, hereby recommend the introduction and consideration of the Goa Public Universities Bill, 2025, by the Legislative Assembly of Goa.

Raj Bhavan.
Dated: 1st August, 2025

Pusapati Ashok Gajapathi Raju
Governor of Goa.

LA/LEGN/2025/1691

The following bill which was introduced in the Legislative Assembly of the State of Goa on 1st August, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Non-Biodegradable Garbage (Control) (Amendment) Bill, 2025

(Bill No. 37 of 2025)

A

BILL

further to amend the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997).

BE it enacted by the Legislative Assembly of Goa in the Seventy-sixth Year of Republic of India as follows:

1. *Short title and commencement.*— (1) This Act may be called the Goa Non-Biodegradable Garbage (Control) (Amendment) Act, 2025.

(2) It shall come into force at once.

2. *Amendment of Section 2.*— In Section 2 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997) (hereinafter referred to as the “principal Act”), after clause (ac), the following clauses shall be inserted, namely:—

“(ad) “bulk waste generator” means an industry, a hotel, restaurant or an establishment generating more than 50 kg of non-biodegradable garbage;

(ae) “waste collector” means a person who is involved in the collection, segregation, sorting, sale and purchase of waste materials including recyclable materials and includes waste trader;

(af) “materials recovery facility (MRF)” means a facility where solid waste other than wet waste and horticulture waste, can be temporarily stored by the local body or any entity authorized by local body to facilitate segregation and sorting of collected waste including biodegradable plastic as well as compostable plastic, and transfer of recyclables and non-recyclables to authorized recyclers or waste processors from various components of waste;

(ag) “disposal” means final and safe disposal of the waste as specified in Schedule through recycler or by the co-processor;

(ah) “refused derived fuel” (RDF) means fuel derived from combustible waste like plastic, wood, pulp or inorganic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste;”.

3. *Substitution of Section 3.*— For Section 3 of the principal Act, the following section shall be substituted, namely:—

“3. *Prohibition to throw garbage in public and private places including drains, rivers, nallahs, waterbodies such as ponds, streams, vents, sewers, wells, lakes, land, quarries, etc.*— (1) No person shall throw or cause to be thrown in drain, river, nallahs, ponds, streams, vents, sewers, lakes, land, quarry, private or public drainage or sewage system/work, any non-biodegradable garbage or any bio-degradable garbage in a non-biodegradable bag or container likely to,—

(i) injure drainage and sewage system, pollute or contaminate water body, interfere with the free flow of water cause nuisance and create risk to public health;

(ii) affect the treatment and disposal of sewage contents; and

(iii) be prejudicial to public health, contamination of soil, surface water and ground water.

(2) No person shall, knowingly or otherwise, place or permit to be placed, except in accordance with such procedure and after complying with such safeguards as may be prescribed, any bio-degradable or non-biodegradable garbage in any public place or in a place open to public view, unless, -

(a) the garbage is placed in a garbage receptacle, or

(b) the garbage is deposited at a location identified, by local authority having jurisdiction over the area and earmarked for disposal of garbage.”

3. *Substitution of Section 5.*— For Section 5 of the principal Act, the following section shall be substituted, namely:—

“5. Duty of Owner, Occupier, Producer, Importer and Brand Owner to collect and deposit non-Biodegradable garbage and duty of the Bulk Waste Generator, Waste Collector, Recycler, Co-processor.— (1) The Owner, Occupier, Producer, Importer and Brand Owner shall collect or cause to be collected from their respective land, buildings or locality, the non-biodegradable garbage and deposit or cause to be deposited the same in public receptacles or places provided for temporary deposit or collection of the non-biodegradable garbage or to the agency appointed for the purpose by following the procedure as specified by the Government by a Notification in the Official Gazette.

(2) The Bulk Waste Generator, Waste Collector, Recycler, Co-processor, shall register on the online portal of Goa State Pollution Control Board for carrying out disposal of waste as specified in the Schedule and shall obtain the authorization of Goa State Pollution Control Board by following the procedure as specified by the Government by a Notification in the Official Gazette.”

4. Substitution of Section 5A.— For Section 5A of the principal Act, the following section shall be substituted, namely:—

“5A. Penalty for contravening provision of Section 5.— (1) Whoever contravenes any of the provisions of Section 5 of this Act shall be punishable with,—

(i) a fine of Rs. 200/- (Rupees two hundred only) for the first offence, Rs. 500/- (Rupees five hundred only) for the second offence, and Rs. 5000/- (Rupees five thousand only) for every subsequent offence, when the offence is in relation to a residential house;

(ii) a fine of Rs. 25,000/- (Rupees twenty-five thousand only) for the first offence, Rs. 50,000/- (Rupees fifty thousand only) for the second offence, and Rs. 1,00,000/- (Rupees one lakh only) for every subsequent offence, when the offence is in relation to a commercial establishment.”.

5. Substitution of Section 5B.— For Section 5B of the principal Act, the following section shall be substituted, namely:—

“5B. Penalty for contravening provisions of Section 3A.— (1) whoever contravenes provisions of sub-section (1) of Section 3A shall be punishable with a fine of Rs. 50,000/- (Rupees fifty thousand only) for the first offence, Rs. 1,00,000/- (Rupees one lakh only) for the second offence and Rs. 3,00,000/- (Rupees three lakhs only) for every subsequent offence.

(2) Whoever contravenes provisions of sub-section (2) of Section 3A shall be punishable with,—

(i) a fine of Rs. 2,500/- (Rupees two thousand five hundred only) for the first offence, Rs. 3,500/- (Rupees three thousand five hundred only) for the second offence and Rs. 5,000/- (Rupees five thousand only), for every subsequent offence, when the offence is in relation to an individual;

(ii) a fine of Rs. 10,000/- (Rupees ten thousand only) for the first offence, Rs. 20,000/- (Rupees twenty thousand only) for the second offence and Rs. 50,000/- (Rupees fifty thousand only), for every subsequent offence, when offence is in relation to commercial establishment;

(3) Whoever contravenes provisions of sub-section (3) of Section 3A shall be punishable with a fine of Rs. 5,000/- (Rupees five thousand only) in case of simple burning, Rs. 25,000/- (Rupees twenty-five thousand only) in case of bulk burning, for the first offence and for subsequent offences Rs. 10,000/- (Rupees ten thousand only) for simple burning and Rs. 50,000/- (Rupees fifty thousand only) for bulk burning.”

6. Insertion of new Section 5C.— After Section 5B of the principal Act, the following section shall be inserted, namely:—

“5C. Penalty for contravening provisions of Section 3.— The vehicle utilised for dumping of the waste shall be impounded by concerned police of respective Police Station and the license of the same shall be suspended for a period of one month for the first offence and shall be punishable with a fine of Rs. 25,000/- (Rupees twenty five thousand only), three months for the second offence and fine of Rs. 50,000/- (Rupees

fifty thousand only), six months for the third offence and fine of Rs. 1,00,000/- (Rupees one lakh only) and thereafter the license of the vehicle shall be permanently suspended.”.

7. *Amendment of Schedule.*— In the Schedule to the principal Act, after item at serial No. (15), the following items shall be inserted, namely:—

- “(16) Metal
- (17) Paper
- (18) Multi-layer Plastic
- (19) Rubber
- (20) Glass Wool
- (21) Fiber Reinforced Plastic (FRP)
- (22) Glass Fiber
- (23) Paper Based Beverage Carton (Tetra pack)
- (24) Leather
- (25) Wood Utilized for Packaging
- (26) Corrugated Boxes and Cardboard, etc
- (27) Jute
- (28) Woven Bags”.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to prohibit throwing of garbage in public or private places including in water bodies, safe disposal of collected waste and provide penalty for contravening provisions of the Goa Non-Biodegradable Garbage (Control) Act, 1996. Further it provides to empower Goa State Pollution Control Board to monitor the non-biodegradable waste generated from the industries on a digital platform and impound vehicles utilized for illegal dumping of waste.

This Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill empowers the Government to issue a Notification to specify the procedure for the registration on the online portal of the Goa State Pollution Control Board and grant of authorization by Goa State Pollution Control Board.

These delegations are of normal character.

Porvorim-Goa.
31st July, 2025.

ALEIXO SEQUEIRA
Minister for Environment
& Climate Change.

Assembly Hall,
Porvorim, Goa.
31st July, 2025.

NAMRATA A. ULMAN
Secretary to the
Legislative Assembly of Goa.

LA/LEGN/2025/1711

The following bill which was introduced in the Legislative Assembly of the State of Goa on 4th August, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Shops and Establishments (Regulation of Employment and
Conditions of Service) Bill, 2025.

(Bill No. 36 of 2025)

A

BILL

to provide for the regulation of conditions of employment and other conditions of service of workers employed in shops, commercial establishments, residential hotels, restaurants, eating houses, theatres, other places of public amusement or entertainment and other establishments and for matters connected therewith or incidental thereto.

BE it enacted by the Legislative Assembly of Goa in the Seventy-sixth Year of the Republic of India as follows:—

CHAPTER I

Preliminary

1. *Short title, extent, application and commencement.*— (1) This Act may be called the Goa Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2025.

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

(3) The provisions of this Act, except Section 7, shall apply to the establishments employing twenty or more workers and the provisions of Section 7 shall apply to the establishments employing less than twenty workers.

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

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

(a) “Chief Facilitator” means the Chief Facilitator appointed as such under Section 31 of this Act;

(b) “child” means a person who has not completed his fourteenth years of age;

(c) “commercial establishment” means any establishment which carries on any business, trade or profession or any work in connection with, or incidental or ancillary to, any business, trade or profession and includes,—

(i) a society registered under the Societies Registration Act, 1860 (Central Act XXI of 1860) or charitable or other trust, whether registered or not, which carries on, whether for purposes of gain or not, any business, trade or profession or work in connection with, or incidental or ancillary to, such business trade or profession;

(ii) an establishment of any medical practitioner (including hospital, dispensary, clinic, polyclinic, maternity home and such others), architect, engineer, accountant, tax consultant, insurance consultant or any other technical or professional consultant; and

(iii) any other establishment which the Government may notify to be a commercial establishment, but does not include a factory, shop, residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment.

(d) “day” means the period of twenty-four hours beginning at midnight;

(e) “employee” means any person (except an apprentice under the Apprentices Act, 1961 (52 of 1961), employed to do any manual, unskilled, skilled, technical, operational or clerical work for hire or reward, whether the terms of employment be express or implied but does not include member of the family of an employer who is not in receipt of any wages.

(f) “employer” means a person owning or having ultimate control over the affairs of an establishment, and includes,—

(i) in the case of a firm or association of individuals, a partner or members of the firm or association;

(ii) in the case of a company, a director of the company;

(iii) in the case of an establishment owned or controlled by the Central Government or a State Government or any local authority, the person or persons appointed to manage the affairs of such establishment by the Central Government or the State Government or the local authority, as the case may be;

(iv) the manager, agent or other person acting in the general management or control of an establishment.

(g) “establishment” means a shop, commercial establishment, residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment, to which this Act applies and includes such other establishment as the Government may, by notification in the Official Gazette, declare to be an establishment for the purposes of this Act;

(h) “Facilitator-cum-Inspector” means a Facilitator-cum-Inspector appointed under Section 31 of this Act;

(i) “factory” means factory within the meaning of the Factories Act, 1948 (Central Act 63 of 1948);

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

(k) “holiday” means a day on which a worker shall be given a weekly off under the provisions of this Act;

(l) “leave” means a leave provided for in Chapter V of this Act;

(m) “local area” means any area or combination of areas to which this Act applies;

(n) “local authority” means the Municipal Corporation of Panaji constituted under the City of Panaji Corporation Act, 2002 (Goa Act 1 of 2003), Municipalities constituted under the Goa Municipalities Act, 1968 (Act No. 16 of 1968), Panchayats constituted under the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), The Goa Industrial Development Corporation constituted under the Goa Industrial Development Act, 1965 (Act No. 22 of 1965), the Authority constituted under the Goa (Mopa Airport Development Authority) Act, 2018 (Goa Act 10 of 2018), the Authority under the Airports Authority of India Act, 1994 (Central Act No. 55 of 1994) and includes any other body which the Government may, by notification in the Official Gazette, declare to be a local authority for the purposes of this Act;

(o) “manager” means a person mentioned in the application under Section 6 of this Act;

(p) “member of the family of an employer” means the wife, husband, son, daughter, father, mother, brother or sister of an employer who lives with and is dependent on such employer;

(q) “opened” means opened for the service of any customer, or for any business of the establishment, or for work, by or with the help of any worker of, or connected with, the establishment;

- (r) “period of work” means the time during which a worker is at the disposal of the employer;
- (s) “prescribed” means prescribed by rules made under this Act;
- (t) “prescribed authority” means the Commissioner of Labour for the purposes of this Act;
- (u) “register of establishment” means a register maintained for the registration of establishments under this Act, either manually or in electronic format;
- (v) “registration certificate” means a certificate of the registration of an establishment;
- (w) “residential hotel” means any premises used for the reception of guests and travellers desirous of dwelling or sleeping therein and includes residential club;
- (x) “restaurant or eating house” means any premises, in which, wholly or partially the business of the supply of meal or refreshments to the public or a class of the public for consumption on the premises is carried on, but does not include a restaurant attached to a theatre or restaurant or a canteen attached to a factory if the persons employed therein are allowed the benefits provided for workers under the Factories Act, 1948 (Central Act 63 of 1948);
- (y) “shop” means any premises where goods are sold, either by retail or wholesale or where services are rendered to customers, and includes an office, a store-room, godown, warehouse or work place, whether in the same premises or otherwise, mainly used in connection with such trade or business, but does not include a factory;
- (z) “spread over” means the period between the commencement and the termination of the work of a worker on any day;
- (za) “theatre” includes any premises intended principally or wholly for the exhibition of pictures or other optical effects by means of a cinematograph or other suitable apparatus or for dramatic performances or for any other public amusement or entertainment;
- (zb) “wages” means wages as defined in the Payment of Wages Act, 1936 (Central Act 4 of 1936);
- (zc) “week” means the period of seven days beginning at midnight of Saturday;
- (zd) “young person” means a person who is not a child but has not completed eighteen years of age.

3. *Act not to apply to certain establishments and persons.*— The provisions of this Act shall not apply to,— (1) Establishments of the Central and State Government; and their agencies, statutory and autonomous bodies;

(2) Establishments of Local Authorities;

(3) Establishments used for treatment or care of infirm, destitute or mentally unfit;

(4) Establishments pertaining to any kind of educational activities excepting those where coaching or tuition classes are conducted by individual persons or any institutions other than those,—

a) affiliated to any university established by law, or

b) recognised by the Goa Board of Secondary and Higher Secondary Education under the Goa, Daman and Diu Secondary and Higher Secondary Education Board Act, 1975 (Goa Act No. 13 of 1975); or

c) recognised by the Directorate of Education or the Directorate of Technical Education as a secondary or technical high school, Industrial Training Institute (I.T.I.), Polytechnic, Engineering Colleges or other technical institutions conducting courses recognised by Government;

(5) A worker occupying position of confidential, managerial or supervisory character in an establishment, a list of which shall be displayed on the website of establishments and in absence of the website at a conspicuous place in the establishment and a copy thereof shall be sent to the Facilitators;

(6) A worker whose work is inherently intermittent;

(7) A member of the family of an employer;

(8) An employee in any establishment whose average monthly wages exceed rupees twenty four thousand.

(9) An establishment in bazaar or in places where fairs or festivals are held temporarily for a period not exceeding one month at a time.

4. *Application of Act to other establishments and workers.*— (1) Notwithstanding anything contained in this Act, the State Government may, by notification in the Official Gazette, declare any establishment or class of establishments to which, or any worker or person or class of workers or persons to whom, this Act or any of the provisions thereof does not for the time being apply, to be an establishment or class of establishments or a worker or a person or class of workers or persons to which or whom this Act or any provisions thereof with such modifications or adaptations as may in the opinion of the State Government be necessary shall apply from such date as may be specified in the notification.

(2) On such declaration under sub-section (1), any such establishment or class of establishments or such workers or person or class of workers or persons shall be deemed to be an establishment or class of establishments to which, or to be a worker or a person or class of workers or persons to whom, this Act, applies and all or any of the provision of this Act with such modification or adaptation as may be specified in such declaration, shall apply to such establishment or class of establishments or to such worker or persons or class of workers or persons.

5. *Suspension of all or any of provisions of this Act.*— The State Government may, by notification in the Official Gazette, suspend the operation of all or any of the provisions of this Act for such period and subject to such conditions as it deems fit on account of any holidays or occasions.

CHAPTER II

Registration of Establishments

6. *Registration of establishments.*— (1) Within a period of sixty days from the date of commencement of this Act or the date on which establishment commences its business, the employer of every establishment employing twenty or more workers shall submit application online in a prescribed form for registration to the Facilitator-cum-Inspector of the local area concerned, together with such fees and such self declaration and self-certified documents as may be prescribed, containing—

(a) the name of the employer and the manager, if any;

(b) the postal address of the establishment;

(c) the name, if any, of the establishment;

(d) the actual nature of the business of the establishment; and

(e) such other particulars as may be prescribed:

Provided that, nothing contained hereinabove shall apply to the establishments already having valid registration or renewal under the Goa Shops and Establishments Act, 1973 (Goa Act No. 13 of 1974), until expiry of their registration or renewal.

(2) On receipt of the application along with documents and the fees online, the Facilitator-cum-Inspector shall, register the establishment in the register of establishments in such manner as may be prescribed and shall issue online, in a prescribed form, a registration certificate along with the Labour Identification Number (LIN) to the employer within the period of seven working days upon verifying the correctness of the application and documents attached thereto. In case the application is incorrect or the documents submitted are incomplete or

incorrect the same shall be rejected. The registration certificate shall be produced whenever it is demanded by the Facilitator-cum-Inspector.

(3) If the application is complete in all respect including the necessary documents and the Facilitator-cum-Inspector fails to register the establishment within the prescribed period specified in sub-section (2), such establishment shall be deemed to have been registered under this Act, immediately on the expiration of such period.

(4) A registration certificate granted under sub-section (2) shall be valid for such period as may be requested by the applicant and specified therein subject to a maximum period of five years. An application for the renewal of a registration certificate shall be submitted online not less than thirty days before the date of expiry of the registration certificate or of the renewed registration certificate, as the case may be, and shall be accompanied by such fees, and the renewed registration certificate shall be issued by the Facilitator-cum-Inspector within seven working days and the same shall be in such form, as may be prescribed.

(5) If the application for the renewal of a registration certificate is submitted after the expiry of the period specified in sub-section (3), such application shall be accompanied by an additional fee as late fee equal to half of the fee payable for the renewal of a registration certificate.

(6) If the Facilitator-cum-Inspector fails to renew the registration certificate within the prescribed period specified in sub-section (4), and the application is complete in all respect, such registration certificate shall be deemed to have been renewed under this Act, immediately on the expiration of such period.

(7) In the event of any doubt or difference of opinion between an employer and the Facilitator-cum-Inspector with respect to any provisions of this Act, the Facilitator-cum-Inspector shall refer the matter to the prescribed authority which shall, after inquiry as it thinks proper, decide the matter and its decision shall be final for the purposes of this Act.

7. Intimation of establishment employing less than twenty workers.— (1) Within a period of sixty days from the date of commencement of this Act or the date on which establishment commences its business, the employer of every establishment employing less than twenty workers shall give an intimation of having commenced the business by submitting online application as may be prescribed, containing details such as name of the employer and manager, name of establishment, nature of business, number of workers and such other details as may be prescribed.

Provided that, if at any point of time the number of workers engaged in the establishment become twenty or more, then all provisions of this Act shall apply to such establishment and the employer of such establishment shall have to obtain registration as per the provisions of section 6:

Provided further that, nothing contained in this sub-section shall apply to the establishments already having valid registration or renewal under the Goa Shops and Establishment Act, 1973 (Act No. 13 of 1974), until expiry of their registration or renewal.

(2) The employer of such establishment employing less than twenty workers shall intimate within thirty days from the date of the closing of the business that the establishment has been closed for business in such form and manner as may be prescribed.

8. Cancellation of registration.— At any time, if it is found or brought to the notice of the Facilitator-cum-Inspector that the registration of any establishment has been obtained by misrepresentation or suppression of material facts or by submitting false or forged documents or false declaration or by fraud, and therefore, requires to be revoked, the Facilitator-cum-Inspector shall, after giving an opportunity of being heard, to the employer of the establishment, cancel the registration and remove such establishment from the register of establishments in the manner prescribed.

9. *Change to be communicated to Facilitator-cum-Inspector.*— Every employer shall digitally communicate to the Facilitator cum Inspector, in such form as may prescribed, any change in any of the particulars contained in the application submitted under section 6 within such period, after the change has taken place, as the Government may prescribe. The Facilitator-cum-Inspector shall, on receiving such notice and such fees as may be prescribed along with the self-declaration of the applicant and self certified documents as may be prescribed, make the change in the register of establishments in accordance with such notice and shall issue a fresh registration certificate online.

10. *Closing of establishment to be communicated to Facilitator-cum-Inspector.*— (1) The employer shall communicate to the Facilitator-cum-Inspector within thirty days from the date of closing of the business that the establishment has been closed for business in such form and manner, as may be prescribed.

(2) The Facilitator-cum-Inspector on receiving the information and on being satisfied about its correctness, shall remove such establishment from the register of establishments and cancel the registration certificate:

Provided that, if the Facilitator does not receive the information but he is otherwise satisfied that any establishment has been closed, he may remove such establishment from such register of establishments and cancel such certificate.

CHAPTER III

Opening and Closing Hours, Hours of Work, Interval for Rest, Spread-Over, Wages for Overtime and Weekly Off

11. *Opening and closing hours of establishment.*— Notwithstanding anything contained in this Act, the State Government may, fix, by notification in the Official Gazette, in the public interest, such hours for opening and closing of different classes of establishments and for different premises, shopping complex or mall or for different area or areas and for different period.

12. *Daily and weekly hours of work in establishment and interval for rest.*— Subject to the other provisions of the Act, no adult worker shall be required or allowed to work in any establishment for more than ten hours in any day and forty-eight hours in any week. No adult worker shall be asked to work continuously for more than five hours unless he has been given a break of not less than half an hour:

Provided that, the working hours or weekly holiday may be relaxed in case of work of urgent nature with the previous permission of the Facilitator-cum-Inspector.

13. *Spread-over in establishments.*— The spread-over of a worker in establishment shall not exceed twelve hours in any day, and in case a worker entrusted with intermittent nature of work or urgent work, the spread over shall not exceed fourteen hours.

14. *Wages for overtime.*— (1) Where a worker in any establishment is required to work beyond eight hours in a day excluding the rest time or forty eight hours a week, he shall be entitled in respect of the overtime work, wages at the rate of twice his ordinary rate of wages.

(2) The total number of overtime hours shall not exceed one hundred and forty-four hours in a period of three months.

Provided that in case the worker is required to work upto 10 hours excluding the rest time as normal working day, the overtime at the rate twice his ordinary rate of wages shall apply only when the worker works beyond 48 hours in a week.

15. *Weekly holiday for worker.*— (1) A department or any section of a department of the establishment may work in more than one shift at the discretion of the employer and if more than one shift is worked, the worker may be required to work in any shift at the discretion of the employer.

(2) An establishment may be kept open for business on all days in a week subject to the condition that every worker shall be allowed weekly holiday of at least twenty-four consecutive hours of rest.

(3) If a worker is denied weekly holiday, the compensatory leave in lieu thereof shall be given within two months of such weekly holiday.

(4) The period and hours of work in a week for all classes of workers in such shift shall be informed well in advance to all workers in writing and shall be sent to the Facilitator-cum-Inspector electronically or otherwise.

(5) Where a worker is required to work on a day of his rest, he shall be entitled to wages at the rate of twice his ordinary rate of wages.

(6) No deduction shall be made from the wages of any worker in an establishment on account of any day on which it has been a weekly holiday under this section. If a worker is employed on a daily wage, he shall nonetheless be paid his daily wage for the day of his weekly off. If a worker is paid a piece rated wage, he shall nonetheless be paid his wage for the day of his weekly holiday, at a rate equivalent to the daily average of his wages for the days on which he has actually worked during the six days preceding such holiday, exclusive of any earning in respect of overtime:

Provident that, nothing in this sub-section shall apply to any worker whose total period of continuous employment is less than six days.

CHAPTER IV

Employment of Women, Children and Young Persons

16. *Employment of women.*— (1) No woman worker shall be required or allowed to work in any establishment except between the hours of 7-00 a.m. and 7-30 p.m.:

Provided that, the woman worker shall be allowed to work during 7.30 p.m. and 7.00 a.m. in any establishment, having provision of shelter, restroom, ladies toilet, adequate protection and safety, protection from sexual harassment and facility of transportation from the establishment to their residence and subject to written consent of the woman worker.

(2) Notwithstanding anything contained in the preceding sub-section, the State Government may, by Notification in the Official Gazette, in the public interest, prohibit or regulate the employment of women workers after 7.30 p.m. and before 7.00 a.m. in any establishment as it may deem fit.

17. *Employment of child.*— No Child shall be employed or permitted to work in any establishment.

18. *Employment of young persons.*— No young person shall be required or allowed to work in any establishment before 6 a.m. and after 7 p.m.

19. *Daily and weekly hours of work for young persons.*— Notwithstanding anything contained in this Act, no young person shall be required or allowed to work in any establishment for more than 7 hours in any day and forty-two hours in any week nor shall such person be allowed to work overtime.

CHAPTER V

Leave with Pay and Payment of Wages

20. *Leave.*— (1) Every worker shall be allowed a weekly holiday with wages.

(2) Every employee in any establishment shall be entitled in every calendar year,—

(a) to leave with wages for a period of nine days, on the ground of any sickness incurred or accident sustained by him; and

(b) to casual leave with wages for a period of six days on any reasonable ground:

Provided that the sick leave and the casual leave shall laps if unavailed at the end of the year.

(3) Every worker who has worked for a period of two hundred and forty days or more in an establishment during a calendar year shall be allowed during the subsequent calendar year, earned leave with wages for a period of fifteen days.

(4) Every worker shall be permitted to accumulate earned leave upto a maximum of forty-five days.

(5) Where the employer refuses to sanction the leave under sub-section (3) which is due when applied, then the worker shall have a right to encash leave in excess of forty-five days.

(6) A worker shall be entitled to nine paid holidays in a calendar year, namely, Republic Day, Birth Anniversary of Dr. Babasaheb Ambedkar, May Day, Independence Day, Ganesh Chaturthi, Gandhi Jayanti, Diwali, Goa Liberation Day and Christmas Day. For holiday on these days, he shall be paid wages at a rate equivalent to the daily average of his wages (excluding overtime), which he earns during the month in which such compulsory holidays falls:

Provided that, the employer may require any worker to work in the establishment on all or any of these days, subject to the conditions that for such work, the worker shall be paid double the amount of the daily average wages and also leave on any other day in lieu of the compulsory holiday.

(7) For the purpose of sub-section (3),—

(a) any days of lay-off, by agreement or contract or as permissible under the model standing orders or standing order certified under Industrial Employment (Standing Orders) Act, 1946 (Central Act 26 of 1946);

(b) in the case of a woman worker, maternity leave as provided for in the Maternity Benefits Act, 1961 (Central Act 53 of 1961);

(c) the leave earned in the year prior to that in which the leave is availed; or

(d) the worker has been absent due to temporary disablement caused by accident arising out of and in the course of his employment, shall be deemed to be days on which the worker has worked in any establishment for the purpose of computation of the period of two hundred and forty days or more, but shall not earn leave for these days.

(8) The leave admissible under this section shall be exclusive of all holidays whether occurring during or either at the end of the period of leave.

(9) Every worker shall be paid for the period of his leave earned under sub-sections (3) at a rate equivalent to the daily average of his wages for the days on which he actually worked during the preceding three months, exclusive of any earnings in respect of overtime.

CHAPTER VI

Welfare Provisions

21. *Health and safety of workers.*— (1) Every employer shall take such measures relating to the health and safety of the workers including cleanliness, lighting, ventilation and prevention of fire as may be prescribed.

(2) Every employer shall be responsible for providing constant adequate supervision of the workers employed in the establishment and to ensure the compliance with the rules relating to health and safety made under sub-section (1) and for taking steps necessary to prevent accidents.

22. *First-aid.*— Every employer shall provide at the place of work first-aid facilities as may be prescribed.

23. *Drinking water.*— The employer shall make effective arrangements to provide and maintain at suitable points conveniently situated for all persons employed in the establishment, a sufficient supply of wholesome drinking water.

24. *Latrines and urinals.*— The employer shall provide sufficient latrine and urinal for men and women as may be prescribed and these shall be so conveniently situated as may be accessible for the workers employed in the establishment:

Provided that, several employers may provide common facilities of latrines and urinals, in case it is not possible, in an establishment due to constraint in space or otherwise.

25. *Creche facility.*— In every establishment wherein fifty or more workers are employed, there shall be provided and maintained a suitable room or rooms as crèche for the use of children of such workers:

Provided that, if a group of establishments, so decide to provide a common creche within a radius of one kilometre, then, the same shall be permitted by the Chief Facilitator by an order, subject to such conditions as may be specified in the order.

26. *Canteen.*— The State Government shall require the employer to provide and maintain in the establishment, wherein not less than one hundred workers are employed or ordinarily employed to maintain a canteen for the use of its workers:

Provided that, if a group of establishments, so decide to provide a common canteen, then the same shall be permitted by the Chief Facilitator by an order, subject to such conditions as may be specified in the order.

CHAPTER VII

Records and Returns

27. *Maintenance of registers and records.*— (1) Every employer shall maintain such registers and records, as may be prescribed.

(2) The records may be maintained electronically or manually:

Provided that, at the time of inspection by a Facilitator-cum-Inspector, a hard copy of such records if demanded, shall be submitted duly signed by the employer or his representative.

(3) Every employer and in his absence the manager shall on demand produce for inspection of Chief Facilitator and Facilitator-cum-Inspector all registers, records and notices required to be kept under and for the purposes of this Act.

(4) All such registers and records shall be kept in the premises of the establishments to which they relate.

28. *Annual Return.*— The employer of an establishment shall furnish an annual return, in such a form and in such manner (including electronic form), to such authority as may be prescribed.

29. *Appointment Letter.*— Every employer shall give an order of appointment to his employee in the establishment before such employee joins the service:

Provided that in the case of an employee in the service at the commencement of this Act, the employer shall give such order of appointment within a period of three months from the date of such commencement.

30. *Employer to furnish identity card to worker.*— The employer of an establishment shall furnish to every worker an identity card which shall be produced by the worker on demand to Facilitator-cum-Inspector. Such card shall contain the following and such other particulars as may be prescribed, namely:—

(a) the name of the employer;

(b) the name, if any, and the postal address, of the establishment;

(c) the name and date of birth of the worker ;

(d) date of joining, department, nature of work, designation;

(e) the signature (with date) of the employer or manager.

CHAPTER IX

Enforcement and Inspection

31. *Appointment of Chief Facilitator and Facilitator-cum-Inspector and their powers.*— (1) The State Government may, by Notification in the Official Gazette, appoint a Chief Facilitator who shall, in addition to the powers conferred on a Chief Facilitator under this Act, exercise the power of a Facilitator-cum-Inspector throughout the State.

(2) The State Government may, by Notification in the Official Gazette, appoint such persons who possess such qualification as may be prescribed, to be the Facilitator-cum-Inspector, for the purposes of this Act, and may assign to them such local limits as it may think fit.

(3) The State Government may prescribe a scheme for randomized inspection of establishments which shall provide for generation of a web-based inspection schedule.

(4) Subject to such conditions as may be prescribed, a Facilitator-cum-Inspector may, within the local limits for which he is appointed—

i. advice the employers and workers and provide them such information as may be considered necessary for complying with the provisions of this Act effectively;

ii. inspect the establishment in accordance with the scheme for inspection referred to in sub-section (3) or otherwise, and may—

(a) enter, at all reasonable time and with such assistants, if any, being persons in the service of the Government or of any local authority as he thinks fit, any place which is or which he has reason to believe is an establishment;

(b) make such examination of the premises and of any prescribed registers, records and notices, and take on the spot or otherwise evidence of any persons as he may deem necessary for carrying out the purposes of this Act;

(c) examine any person who is found in any premises of the establishment and whom, the Facilitator-cum-Inspector has reasonable cause to believe, is a worker of the establishment;

(d) require any person to give any information, which is in his power to give with respect to the names and addresses of the persons;

(e) search, seize or take copies of such register, record of wages or notices or portions thereof as the Facilitator-cum-Inspector may consider relevant in respect of an offence under this Act and which the Facilitator-cum-Inspector has reason to believe has been committed by the employer;

(f) bring to the notice of the State Government defects or abuses not covered by the law for the time being in force; and

(g) exercise such other powers, as may be prescribed:

Provided that, no person shall be compelled under this section to answer any question or give any evidence tending to incriminate himself.

(5) The Chief Facilitator shall apart from exercising all the powers and functions of the Facilitator control and supervise the functioning of the Facilitator-cum-Inspector and may assign or reassign the area of work of the Facilitator-cum-Inspector subject to the jurisdiction of the local area.

(6) Any person required to produce any document or to give any information required by Chief Facilitator and Facilitator-cum-Inspector appointed under sub-sections (1) and (2) shall be deemed to be legally bound to do so within the meaning of Sections 210 and 211 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023).

(7) The provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023) shall, apply to the search or seizure under sub-clause (e) of clause (ii) of sub-section (4) as they apply to the search or seizure made under the authority of a warrant issued under Section 97 of the said Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023).

(8) Every Chief Facilitator and Facilitator-cum-Inspectors appointed under sub-sections (1) and (2) shall be deemed to be a public servant within the meaning of sub-section 28 of Section 2 of the Bhartiya Nyaya Sanhita, 2023 (Central Act 45 of 2023).

CHAPTER X

Offences and Penalties

32. *Penalty for contravention of provisions of this Act.*— (1) Whoever, contravenes the provisions of this Act or the rules made thereunder shall be punishable with fine which may extend to ten thousand rupees and in the case of a continuing contravention, with an additional fine which may extend to five hundred rupees for every day during which such contravention continues:

(2) If any person who has been convicted of any offence punishable under sub-section (1) is again guilty of an offence involving a contravention or failure of compliance of the same provision, he shall be punished on a subsequent conviction with fine which may extend to twenty thousand rupees.

33. *Penalty for contravention of provisions of this Act which resulted in accident.*— Save as otherwise expressly provided in this Act, where an employer on being held guilty of contravention of any of the provisions of this Act or any rules made thereunder which has resulted in an accident causing serious bodily injury or death of a worker, he shall, on conviction, be punished with fine which shall not be less than twenty-five thousand rupees and which may be extended upto one lakh rupees.

34. *Penalty for obstructions or refusal to provide register, etc.*— (1) Whoever, wilfully obstructs the Facilitator-cum-Inspector in exercise of any powers conferred on him by or under this Act or refuses or wilfully neglects to afford a Facilitator-cum-Inspector any reasonable facility for making any inspection, examination, inquiry or investigation authorized by or under this Act in relation to an establishments, shall, on conviction, be punished with fine which may extend to ten thousand rupees.

(2) Whoever, wilfully refuses to produce on the demand of a Facilitator-cum-Inspector any register or other document kept in pursuance of this Act or the rules made thereunder or prevents or attempts to prevent or does anything which he has reason to believe to prevent any person from appearing before, or being examined by, a Facilitator-cum-Inspector acting in pursuance of his duties under this Act, shall, on conviction, be punished with fine which may extend to ten thousand rupees.

35. *Cognizance of offences.*— (1) No court shall take cognizance of any offence punishable under this Act and the rules made thereunder unless a complaint in respect thereof is made by the Facilitator-cum-Inspector within six months of the date on which the alleged commission of the offence came to the knowledge of the Facilitator-cum-Inspector.

(2) No court inferior to that of a Judicial Magistrate of the First Class shall try any offence punishable under this Act or the rules made thereunder.

36. *Compounding of offences.*— (1) Any offence punishable under this Act, on an application of the accused person, either before or after the institution of any prosecution, be compounded by a Gazetted Officer, as the State Government may, by Notification, specify, with fine provided for such offence, in the manner as may be prescribed.

(2) Nothing contained in sub-section (1) shall apply to an offence committed by a person for the second time or thereafter within a period of five years from the date—

(a) of commission of a similar offence which was earlier compounded;

(b) of commission of similar offence for which such person was earlier convicted.

(3) Every officer referred to in sub-section (1) shall exercise the powers to compound an offence, subject to the direction, control and supervision of the State Government.

(4) Every application for the compounding of an offence shall be made in such form and manner as may be prescribed.

(5) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.

(6) Where the compounding of any offence is made after the institution of any prosecution, such compounding shall be brought by the officer referred to in sub-section (1) in writing, to the notice of the Court in which the prosecution is pending and on such notice of the compounding of the offence being given, the person against whom the offence is so compounded shall be discharged.

(7) Any person who fails to comply with an order made by the officer referred to in sub-section (1), shall be liable to pay a sum equivalent to twenty per cent of the maximum fine provided for the offence, in addition to such fine.

(8) No offence punishable under the provisions of this Act shall be compounded except under and in accordance with the provisions of this section.

CHAPTER XI

Miscellaneous

37. *Power to exempt.*— The State Government may, by Notification in the Official Gazette, exempt from the operation of all or any of the provisions of this Act or rules, any establishment or class thereof or any employer or worker or person or class of employers or workers or persons to whom this Act applies for any period on such terms and conditions, as it may think fit.

38. *Rights and privileges under other laws etc., not affected.*— Nothing in this Act shall affect any right or privileges which a worker in any establishment is entitled to at the date of commencement of this Act under any other law, contract, custom or usage applicable to such establishment or any award, settlement or agreement binding on the employer and the worker in such establishment, if such rights or privileges are more favourable to him than those to which he would be entitled under this Act.

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

40. *Application of the Employees' Compensation Act, 1923.*— The provisions of the Employees' Compensation Act, 1923 (Central Act 8 of 1923), and the rules made thereunder, shall so far as may be, apply to every establishment to whom section 6 as well as Section 7 of the Act applies.

41. *Power to make rules.*— (1) The Government may, by Notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) All rules made under this Act shall be subject to the condition of previous publication.

(3) Every rule made under this Act shall be laid, as soon as may be, after it is made, before the State Legislature, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session or sessions immediately following, the House agree in making any modification in any rule or agree that the rule should not be made, and notify their decision to that effect in the Official Gazette, the rule shall, from the date of publication of such decision in the Official Gazette, have effect only in such modified form or be of no

effect, as the case may be, so however that, any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

42. *Power to remove difficulties.*— (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion arises, by an order published in the Official Gazette, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purposes of removing the difficulty:

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

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before the State Legislature.

43. *Repeal and savings.*— On and from the date of commencement of this Act, the Goa Shops and Establishments Act, 1973 (Act No. 13 of 1974), shall stand repealed:

Provided that,—

(a) every appointment order, rule, bye-law, regulation, notification, registration or notice made, issued or given under the provisions of the Act so repealed shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been made, issued or given under the provisions of this Act, unless and until superseded by any appointment, order, rule, bye-law, regulation, notification or notice made, issued or given under this Act;

(b) any proceeding relating to the trial of any offence punishable under the provisions of the Act so repealed shall be continued and completed as if the said Act had not been repealed but had continued in operation and any penalty imposed on such proceedings shall be recovered under the Act so repealed.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to repeal the existing Goa Shops and Establishments Act, 1973 (Act No. 13 of 1974) as was assented by the then Administrator of Goa, Daman and Diu on 28th September, 1974 which was made effective from 7th October, 1974. The Act was enacted to regulate the conditions of work and employment of workers in shops, commercial establishments, restaurants, theatres and other establishments and for matters connected therewith. The Act was extended to whole of the then Union Territory of Goa, Daman and Diu.

Subsequently various amendments were carried out to the existing Goa Shops and Establishments Act, 1973 (Act No. 13 of 1974) to meet the requirements from time to time. However, by the lapse of time certain existing provisions had become defunct.

The current digital technology has revolutionized the mode of business activities whereby it is possible to offer for sale goods and services online without any physical and geographical limitations and time limitations. The business activities can be carried out on 24 hour basis. Therefore, the provisions of the said Act of keeping a shop or establishment closed for a business on one day of the week and to restrict the opening and closing hours of establishments have become obsolete. It has become necessary to provide even platform for offline business to compete with online business and to permit to operate shops and establishments for twenty-four hours and all days in a week.

In line with the “ease of doing business” policy of the Government, it is necessary that the marginal and small establishments engaging less than twenty employees need to be liberalized from registration under the Act.

That there is a constant and gradual rise in women workforce who are willing to work on par with their male colleagues and counterparts. Allowing them to work in night shift on par with that of men workers subject to certain reasonable terms and conditions will increase their earning capacity resulting in their empowerment.

The Central Government has also circulated a model Shops and Establishments (Regulation of Employment and Conditions of Service) Bill, 2016, which has been finalised after detailed deliberations and consultation process, to all the State Governments for consideration.

In view of the above, the Government of Goa considered it expedient to enact a new law, on the lines of the model Bill circulated by the Central Government, for regulation of conditions of employment and other conditions of service of workers employed in various establishments by repealing the existing Goa Shops and Establishments Act, 1973 (Act No. 13 of 1974).

The Bill seeks to achieve the above objectives.

FINANCIAL MEMORANDUM

There are financial implications involved in the Bill, as Bill seeks to enhance the applicability of the Act, from existing nil workers to 20 workers. By increasing the applicability most of the establishments employing less than twenty employees shall be out of the purview of the Act, as a result of which no revenue will be generated by way of registration and renewal of establishments under the Goa Shops and Establishments Act, 1973 and the Rules made thereunder.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 1(4) of the Bill empowers the Government to appoint a date by way of notification for bringing the Act into force. Clause 41 of the Bill empowers the Government to frame rules for carrying out the provisions of the Act and prescribe the form, fees, etc.

These delegations are of normal character.

Place: Porvorim-Goa.
Dated: August, 2025

ATANASIO MONSERRATE
Minister for Labour
& Employment.

Assembly Hall,
Porvorim, Goa.
Dated: August, 2025.

NAMRATA ULMAN
Secretary to the
Legislative Assembly of Goa.



LA/LEGN/2025/1712

The following bill which was introduced in the Legislative Assembly of the State of Goa on 4th August, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.



The Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Bill, 2025

(Bill No. 39 of 2025)

A

BILL

further to amend the Legislative Diploma No. 2070 dated 15-4-1961, in its application to the State of Goa.

BE it enacted by the Legislative Assembly of the State of Goa in the Seventy-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 2025.

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

2. *Insertion of new article 372-B.*— In the Legislative Diploma No. 2070 dated 15-4-1961, after article 372-A, the following article shall be inserted, namely:—

“372-B. *Regularization of encroachment for unauthorized construction of dwelling house.*— (1) Notwithstanding anything contained in this Code, the Goa Land Revenue Code, 1968 (Act 9 of 1969), the Goa Town and Country Planning Act, 1974 (Act 21 of 1975), the Goa Land (Prohibition on Construction) Act, 1995 (Goa Act No. 20 of 1995), the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008), the Goa Land Development and Building Construction Regulations, 2010, the Goa Municipalities Act, 1968 (Act 7 of 1969), the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), the City of Panaji Corporation Act, 2002 (Goa Act 1 of 2003) or any other State law for the time being in force, where any person has carried out unauthorized construction of a dwelling house, before the 28th day of February, 2014, on a land belonging to the Comunidade, without such land being lawfully granted to him as per the provisions of this Code, subject to such conditions as prescribed, the grant/allotment of such encroached land may be regularised by such officer, by passing an order of regularization of grant/allotment of such land, not below the rank of Senior Scale Officer of the Goa Civil Service, as may be authorised by the Government by a notification in the Official Gazette, upon an application being made by the applicant and upon depositing by him with the authorised officer compensation amount, to be paid to the concerned Comunidade, at such rate as may be specified by the Government by an order published in the Official Gazette. For deciding such application the authorized officer shall follow the procedure as specified in clauses (5) and (13):

Provided that the authorised officer shall not entertain any application under clause (1), if the land upon which such dwelling house has been unauthorisedly constructed falls within the limits of the agricultural land held by a tenant under the Goa Agricultural Tenancy Act, 1964 (Act 7 of 1964), protected forest, area declared as a wild life sanctuary, area covered under the Coastal regulation zone where such construction has been carried out after the 19th day of February 1991, No Development Zone, open spaces, areas covered under Eco Sensitive Zone-I, Khazan land, road set back or right of way or any construction which causes obstruction to any natural water channel or any structure which is constructed by filling water bodies, or areas other than orchard land or cultivable land covered under Eco Sensitive Zone-II.

Explanation.— (i) “Eco Sensitive Zone-I” means Eco Sensitive Zone-I as classified in Regional Plan 2021.

(ii) “Eco Sensitive Zone-II” means Eco Sensitive Zone-II as classified in Regional Plan 2021:

Provided further that the authorised officer may entertain an application under clause (1), if the land upon which such dwelling house has been unauthorisedly constructed falls within the limits of the area covered under Settlement Zone, Institutional Zone, Industrial Zone, Cultivable Zone or Orchard.

(2) The total extent of land to be regularized under this article shall comprise of only plinth area of dwelling house and area adjoining to such dwelling house upto two meters on all sides from its outer walls, if available. In no case the authorised officer shall regularize land exceeding 300 square meters:

Provided that where the encroached area exceeds the above permissible limit, the authorised officer shall not pass an order of regularization of land unless the applicant surrenders the excess encroached area to the Administrator and the Administrator takes possession of the same for handing it over to the concerned Comunidade:

Provided further that where more than one dwelling house exists in close proximity and it is not feasible to allocate two meters of surrounding land from the outer walls to each such dwelling house, the available land shall be apportioned proportionately amongst them.

(3) The Application referred in clause (1) shall be made to the authorised officer within a period of six months from the date of coming into force of the Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 2025 in such form, accompanied by such documents and such fees as prescribed.

(4) The authorised officer shall dispose of such application within a period of six months from the date of its receipt:

Provide that for calculating the said period of six month, the period from the date of filing of appeal under clause (10) and/or revision under clause (12), if any, upto disposal of such appeal and/or revision shall not be taken into consideration.

(5) The authorised officer shall not decide on such application for regularisation unless applicant furnishes,—

(i) the explicit consent for regularization of land of the concerned Comunidade given through its Attorney, or

(ii) the deemed consent for regularization of land as,—

(a) certified by the Administrator under clause (9), or

(b) confirmed by the Administrator in appeal under clause (10), or

(c) Decided by the Government in revision under clause (12).

(6) For the purpose of obtaining consent of the Comunidade for regularisation of grant of land upon which the applicant has carried out unauthorised construction of a dwelling house, he shall make an application to the concerned Comunidade in such form as prescribed immediately upon making application under clause (1). The Comunidade shall not unreasonably or arbitrarily withhold or refuse its consent.

(7) The Comunidade shall take a decision on the request made in the application under clause (6) within a period of thirty days from the date of receipt of such application.

(8) Where the Comunidade refuses to give its consent, it shall within a period of fifteen days from the date of decision of such refusal, communicate its decision in writing to the applicant and also to the Administrator, clearly stating the reasons for such refusal.

(9) If the Comunidade fails to,—

(i) take a decision on the application within the time limit specified in clause (7); or

(ii) communicate its decision in writing to the applicant about refusal of consent within the time limit specified in clause (8),

after expiry of forty-five days from the date of receipt of such application by the Comunidade, the consent shall be deemed to have been given and the applicant shall make an application to the Administrator, who

shall, within a period of thirty days from the date of receipt of such application, issue a certificate in such form as prescribed confirming that the consent of the concerned Comunidade as deemed to have been given.

(10) Where the Comunidade refuses to give its consent, the applicant may prefer an appeal to the Administrator within a period of thirty days from the date of receipt of the communication of refusal from the Comunidade. The Administrator shall dispose of such appeal within a period of thirty days from the date of its receipt after hearing the applicant and the Comunidade.

(11) The Administrator may, while disposing of such appeal or otherwise, treat the consent of the concerned Comunidade as deemed to have been given in cases including but not limited to any of the following circumstances, and may accordingly pass an order confirming that the consent of the Comunidade is deemed to have been given,—

(i) where the applicant has been in continuous and peaceful possession of the dwelling house unauthorisedly constructed on a land belonging to the Comunidade before the 28th day of February, 2014, without such land being lawfully granted to him as per the provisions of this Code, at least for a period of twelve years and no legal proceedings have been initiated by the Comunidade in respect of such encroachment during the said twelve year period since such encroachment; or

(ii) where, without following the procedure as laid down in this Code, the Comunidade or any of the member of its Managing Committee has,—

(a) issued a no objection certificate or any other document conveying consent to the applicant for occupation and/or use of the said land before construction of such dwelling house; or

(b) accepted any payment from the applicant as compensation in respect of the land encroached by the applicant and deposited the said amount in the coffers of the concerned Comunidade.

(12) Any person aggrieved by the decision of the Administrator may file a revision application before the Government. The Government shall dispose of such revision application within a period of sixty days from the date of its filing.

(13) Upon receipt of,—

(i) the explicit consent of the concerned Comunidade given through its Attorney, or

(ii) the deemed consent as,—

(a) certified by the Administrator under clause (9), or

(b) confirmed by the Administrator in appeal under clause (10), or

(c) decided by the Government in revision under clause (12),

the authorized officer shall issue a notice to the Attorney of the concerned Comunidade directing him to submit his reply within a period of fifteen days from the date of receipt of such notice. If no reply is received within the said period, it shall be presumed that the Comunidade has no objection for regularisation of grant of such land to the applicant. After submission of reply by the Attorney within the said period of fifteen days or on failure to submit reply within the said period of fifteen days, whichever is earlier, the authorised officer shall scrutinize the application received under clause (1) and after holding such enquiry as he deems fit, decide such application by passing an appropriate order.

(14) No such land the grant of which is regularized by the authorized officer by passing an order under clause (13) shall be sold, assigned or otherwise transferred to any person till the expiry of a period of twenty years from the date of such order except by way of gift in favour of a family member of the applicant.

(15) Once the land on which the dwelling house exists is regularized under the provisions of this article, the applicant may make an application under the Goa Regularisation of Unauthorized Construction Act, 2016

(Goa Act 20 of 2016) for the purpose of regularization of such dwelling house in accordance with the provisions contained therein.

(16) Notwithstanding anything contained in this Code or any other law for the time being in force or any Judgment/Decree/Order of any court, no such dwelling house which has been unauthorisedly constructed on a land belonging to the Comunidade, before the 28th day of February, 2014, without such land being lawfully granted as per the provisions of this Code, shall be demolished till the expiry of six months from the date of coming into force of the Goa Legislative Diploma No. 2070 dated 15-4-1961 (Amendment) Act, 2025 and in case any application is filed under clause (1) within the time limit specified in clause (3), then such dwelling house shall not be demolished till disposal of such application.

(17) If no application is filed within the time limit specified in clause (3) or if such application so filed is rejected, the Administrator shall initiate action against such dwelling house in accordance with law.

(18) No suit, prosecution or other legal proceeding shall lie against the Authorized Officer, Administrator or any officer authorised by the Authorized Officer, in respect of anything which is in good faith done or intended to be done in pursuance of this article or of any rules or orders made thereunder.

(19) In case it is found that the applicant has obtained an order of regularization on the basis of a false declaration or document,—

(a) the Authorized Officer shall revoke the order passed under clause (1) and upon such revocation the land regularised or allotted, if any, shall stand reverted to the concerned Comunidade; and

(b) the applicant shall be punishable with imprisonment for a term which may extend to two years and with fine which may extend to rupees one lakh.

(20) An offence punishable under this article shall be cognizable.

(21) No Court other than the Court of a Judicial Magistrate First Class shall take cognizance of, and try an offence under this article.

Explanation: For the purpose of this article,—

(a) “applicant” means a landless person, who has constructed a dwelling house, before the 28th day of February, 2014, on a land belonging to the Comunidade, without such land being lawfully granted to him as per the provisions of this Code, and who has been a resident of Goa for a period of not less than fifteen years immediately preceding the said date and includes his family members in case of his death but does not include a person or his family member who owns a plot of land, house, flat or apartment or an undivided share in ancestral property which on the date of making an application has been separately allotted to him;

(b) “authorised officer” means the officer as authorised by the Government under clause (1);

(c) “dwelling house” means a house where the applicant or his family members reside with a fixed habitation and is exclusively used by him or his family members for the purpose of their dwelling and is allotted a number by the local authority;

(d) “family member” means the applicant’s spouse, son and unmarried daughter and includes grandson, widowed daughter and widowed granddaughter.

STATEMENT OF OBJECTS AND REASONS

Over the years, it has been observed that a significant number of landless persons who have been residing in Goa since a very long time and have constructed dwelling houses on lands belonging to the Comunidades without any formal authorisation or legal entitlement. Although these constructions are unauthorised in law, they have been in existence for long durations and often constitute the sole place of residence for the families

concerned. The absence of legal recognition has rendered such occupants vulnerable to eviction which would deprive them of shelter and basic civic amenities.

Recognising the humanitarian and socio-economic dimensions of this long-standing issue, it is sought to address it in a structured, equitable, and compassionate manner as a one-time measure.

At the same time, the primary objective of the proposed amendment is to also protect Comunidade lands from further encroachment and to enable the Comunidades to reclaim part of unauthorisedly occupied land beyond the area proposed for regularisation. This initiative aims to strike a balance between providing humanitarian relief to long-term occupants and preserving the integrity and ownership rights of the Comunidades. It also seeks to deter future unauthorised construction by clarifying that regularisation is a one-time measure.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

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

Clause 2 of the Bill empowers the Government to issue notification for authorizing officer for deciding application for regularisation of land.

Clause 2 of the Bill empowers the Government to issue order for specifying the rate of compensation amount to be paid to the comunidade.

Clause 2 of the Bill empowers the Government to frame rules for prescribing form of application, documents and fees.

Clause 2 of the Bill empowers the Government to frame rules for prescribing form of application.

Clause 2 of the Bill empowers the Government to frame rules for prescribing form of certificate.

These delegations are of normal character.

Place: Porvorim-Goa.
Dated: 4th August, 2025

ATANASIO MONSERRATE
Hon'ble Minister for Revenue

Assembly Hall,
Porvorim, Goa.
Dated: 4th August, 2025

NAMRATA ULMAN
Secretary to the
Legislative Assembly of Goa.

Extract of Article 372-A of the Legislative Diploma No. 2070 dated 15-4-1961

Art. 372-A. Regularisation of unauthorised occupation, wrongful possession, etc.—

(1) Notwithstanding anything contained, elsewhere in this Code, or any other law for the time being in force, or in any instrument, judgement, decree or order of any court or law, any person who is in unauthorised occupation of, or in wrongful possession of, or who has encroached upon, in or over, any land:—

- a) vested in Comunidade, or
- b) to the use or occupation of which he is not entitled or has ceased to be entitled, by reason of:
 - i. any of the provisions of this Code, or
 - ii. the expiry of the period of lease or termination a lease for breach of any of the conditions annexed to the tenure;

and has constructed, on or before 15-6-2000, a house, for residential purpose on such land, shall, on an application made by him to the Collector of the concerned district, within a period of 250 days from the date on which the Article 372-A, came into effect, in the specified form, accompanied by specified documents and on payment of specified fees, be entitled for the regularisation of such unauthorised occupation or wrongful possession or encroachment including of the said residential house, subject however to sub-clause (3) Article 372-A.

(2) From the date on which Article 372-A came into effect till the expiry of the period of 250 days prescribed under sub clause (1) above, or till the pendency and disposal of the application, if any; made under sub-clause (1) above, as the case may be:

- a) no proceedings shall be initiated and no order shall be passed, under this Code, against a person who is eligible to apply for and whose case falls, under sub-clause above, and
- b) all proceedings already initiated and any order already passed under this Code, against a person who is eligible to apply for and whose case falls under sub-clause (1) above, shall remain stayed during such period as prescribed above:

Provided that the period of stay of any proceedings initiated or of any order passed under this Code or the period during which no proceedings can be initiated or no order can be passed under this Code as stated above, shall not extend beyond a period of one year six months from the date on which Article 372-A came into effect notwithstanding the fact that the said application made under sub-clause (1) above is not disposed off within the said period of one year.

(3) The form of application, fees payable, the procedure to be followed in processing/deciding the application under sub-clause (1) above, the documents required to be furnished alongwith an application under sub-clause (1) above, the area to be regularised, the fine to be imposed upon, for regularisation, if any, etc., shall be such as may be specified in the rules under the Code.



LA/LEGN/2025/1713

The following bill which was introduced in the Legislative Assembly of the State of Goa on 4th August, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Regularisation of Unauthorized Construction (Amendment) Bill, 2025

(Bill No. 40 of 2025)

A

BILL

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

BE it enacted by the Legislative Assembly of State of Goa in the Seventy-sixth Year of the Republic of India as follows:-

1. *Short title and commencement.*— (1) This Act may be called the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2025.

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

2. *Amendment of Section 3.*— In the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016) (hereinafter referred to as the “principal Act”), in Section (3),—

(i) in sub-section (1),—

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

“(a) any residential, commercial or residential cum commercial unauthorized construction in applicants own property, or in a property jointly held by the applicant with other co-owners.”;

(b) for clause (c), the following clause shall be substituted, namely:—

“(c) any unauthorized construction by the applicant in undivided property jointly held by a unit of family or families.”;

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

“(f) any unauthorized construction of a dwelling house carried out on a land belonging to a Comunidade in respect of which the officer authorized under clause (1) of article 372-B of the Legislative Diploma No. 2070 dated 15-4-1961, in its application to the State of Goa, has passed order of regularisation of such land.

(g) any unauthorized construction of a dwelling house carried out on a land belonging to the Government or land granted by the Government in respect of which the Deputy Collector has passed order of regularisation of such land.”;

(d) the first proviso shall be omitted;

(e) after the fourth proviso, the following proviso shall be inserted, namely:—

“Provided further that the person,—

(i) who could not make application within the period as specified in the fourth proviso; or

(ii) whose application has been rejected by the authorized officer before the commencement of the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2025, on any ground whatsoever, may make such application or fresh application, as the case may be, within a period of two years from the date of coming into force of the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2025.”;

(ii) in sub-section (3), for the words “pass an order of regularisation of such unauthorized construction”, the expression “grant a sanad under Section 32 of the Goa Land Revenue Code, 1968 (Act No. 9 of 1969) and pass an order of regularisation of such unauthorized construction” shall be substituted;

(iii) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) The total built up area of the unauthorized construction which is proposed to be regularised including all floors thereof shall not exceed,—

(i) 500 square meters, in case such construction is carried out within limits of any Village Panchayat, subject to the permissible F.A.R.;

(ii) 600 square meters, in case such construction is carried out within limits of any Municipal Council or Municipal Corporation, subject to the permissible F.A.R., and

such construction shall be meant for either personal residence, commercial purpose, commercial cum residential purpose or institutional purpose of the applicant.”;

(iv) in sub-section (5),

(a) for the words “area covered under the Coastal regulation zone”, the expression “area covered under the Coastal regulation zone where such construction has been carried out after the 19th day of February, 1991” shall be substituted;

(b) after the existing proviso, the following proviso shall be inserted, namely:—

“Provided further that where there is no required access of three meters to the unauthorized construction, the authorized officer shall entertain an application under sub-section (1) for regularisation of unauthorized construction if the applicant undertakes to make such access available within a period of five years by submitting an undertaking to that effect.”;

(v) after sub-section (7), the following sub-sections shall be inserted, namely:—

“(7A) Where the authorized officer passes an order under this Act for regularisation of unauthorized construction in a property jointly held by the applicant with other co-owners as referred in clause (a) of sub-section (1), without the written consent of all such co-owners, such order shall be subject to the order or judgment that may be passed by the competent Civil Court in a suit or other legal proceeding that may be initiated by the aggrieved co-owner.

(7B) Where the authorized officer passes an order under this Act for regularisation of unauthorized construction in a property jointly held by the applicant with other members of the unit of family or families as referred in clause (c) of sub-section (1), without the written consent of all other members of such family or families, such order shall be subject to the order or judgment that may be passed by the competent Civil Court in a suit or other legal proceeding that may be initiated by the aggrieved any member of such family or families.”.

3. *Insertion of new Section 6A.*—After Section 6 of the principal Act, the following section shall be inserted, namely:—

“6A. *Review of order.*— (1) The authorized officer may either on his own motion or on application of any party interested, review any order passed by him or by any of his predecessors-in-office and pass such order in reference thereto as he thinks fit:

Provided that the authorized officer shall before reviewing any order under this section, obtain the permission of the Collector.

(2) No order shall be reviewed under this section without giving notice to the other party and no application for review of such order shall be entertained unless filed within a period of one year from the date of such order:

Provided that the authorized officer shall not, on his own motion, review any order under this section after expiry of period of six months from the date of such order:

Provided further that no application for review shall be entertained if an appeal against the said order has already been filed or decided under Section 7 of this Act.

(3) No order shall be reviewed except on the following grounds, namely:—

- (i) discovery of new and important matter or evidence which, after the exercise of due diligence was not within the knowledge of the applicant or could not be produced by him at the time when the order was passed or order made; or
- (ii) some mistake or error apparent on the face of the record; or
- (iii) any other sufficient reason.”.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend Section 3 of the Goa Regularisation of Unauthorized Construction Act, 2016 (hereinafter referred to as the “said Act”) so as to widen the scope of the said Act in the matter of regularisation of unauthorized construction.

A fresh window of 2 years to file applications for persons who could not apply earlier, or whose applications were rejected on certain grounds is sought to be given. The built-up area limits are also being revised to permit regularisation up to 500 square meters in Village Panchayat areas and up to 600 square meters in areas under Municipal Councils or Corporation, however, the same is subject to permissible F.A.R. norms.

The Bill seeks to insert new section 6A in the said Act so as to avoid multiplicity of proceedings and to empower authorized officer to correct mistakes or error apparent on face of the record or for any other sufficient reason by reviewing his order. Such review shall be subject to prior permission of the Collector which shall be entertained within a period of one year from the date of such order and barred if an appeal has been filed or decided under section 7.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

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

This delegation is of normal character.

Place: Porvorim-Goa.
Dated: 4th August, 2025

ATANASIO MONSERRATE
Hon’ble Minister for Revenue

Assembly Hall,
Porvorim, Goa.
Dated: 4th August, 2025

NAMRATA ULMAN
Secretary to the
Legislative Assembly of Goa.

ANNEXURE

Extract of Section 3 and 6 of the Goa Regularization of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016)

3. *Regularisation of unauthorized construction.*—

(1) Any person who has carried out unauthorized construction in the property specified herein below before the 28th day of February, 2014, may make an application in Form I hereto together with application fee in the form of Court fee stamp of rupees five, documents specified in Schedule I hereto, sketch of the structure proposed to be regularized alongwith dimensions to the officer as may be authorised by the Government by Notification in the Official Gazette, not below the rank of Junior Scale Officer of Goa Civil Service, for regularisation of such unauthorized construction, within a period of 210 days from the date of coming into force of this Act:

(a) any residential, commercial or residential cum commercial unauthorised construction in applicants own property or by the applicant who is co-owner, with written consent of all other co-owners thereto, in a property jointly held by the applicant with such co-owners.

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

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

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

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

Provided that no such written consent as referred to in clauses (a) and (c) is required where the property/land is divided/allotted between all co-owners or members of family/families by an order or decree of the court in any proceedings or by any registered Deed or instrument.

Provided that the person who could not make application within above period may make such application within a period of 30 days (thirty days) from the date of coming into force of the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2018.

Provided for the that the person who could not make application within a period as specified in the first proviso may make such application within a period of 90 days (Ninety days) from the date of coming into force of the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2023.

Provided further that the person who could not make application within a period as specified in the third proviso may make such application within a period of ninety days from the date of coming into force of the Goa Regularisation of Unauthorized Construction (Third Amendment) Act, 2023.

(2) The authorised officer shall issue acknowledgment to the applicant of having received the application under sub-section (1).

(3) The authorised officer shall scrutinize the application received under sub-section (1) and after holding an enquiry, as he deems fit and conducting site inspection thereof and subject to payment by the applicant of charges, taxes, fees and penalty as determined by the authorised officer as per schedule II hereto, pass an order of regularisation of such unauthorized construction.

(4) The built up area of the unauthorized construction which is proposed to be regularised shall not exceed,—

(i) 200 square meters in case such construction is meant for personal residence of the applicant;

(ii) 100 square meters in case such construction is meant for commercial purpose of the applicant;

(iii) 250 square meters in case such construction is meant for residential cum commercial purpose of the applicant;

(iv) 400 square meters in case such construction is meant for institutional purpose;

(5) The authorised officer shall not entertain any application under sub-section (1), if the unauthorized construction falls within the limits of the protected forest, area declared as a wild life sanctuary, area covered under the Coastal regulation zone. No Development Zone, opens spaces, public land, areas covered under Eco Sensitive Zone-I, areas other than orchard land or cultivable land covered under Eco Sensitive Zone-II, Khazan land, any construction prohibited under the Goa Land (Prohibition on Construction) Act, 1995 (Goa Act No. 20 of 1995), road set back or right of way or any construction which causes obstruction to any natural water channel or any structure which is constructed by filling water bodies or any construction in or for scrap yard.

Explanation.— (i) “Eco Sensitive Zone-I” means Eco Sensitive Zone-I as classified in Regional Plan 2021.”

(ii) “Eco Sensitive Zone-II” means Eco Sensitive Zone-II as classified in Regional Plan 2021;

Provided that the authorized officer may entertain any application under sub-section (1), if the unauthorized construction falls within the limits of the area covered under Settlement Zone, Institutional Zone or Industrial Zone, Cultivable Zone, ORCHARD.

(6) The authorised officer shall not entertain an application or proceed with regularisation process of unauthorized construction where the title or ownership of any property/land upon which unauthorized construction has been carried out, is subject matter of a dispute before any Court, Tribunal or any Statutory Authority and such Court, Tribunal or Statutory Authority has passed an injunction or granted status quo or any prohibitory order against such property/land or construction.

(7) Where the title or ownership or any property/land upon which unauthorized construction has been carried out, is subject matter of a dispute before any Court, Tribunal or any Statutory Authority, but no such injunction or status quo or any prohibitory order is granted against such property/land or construction by such Court, Tribunal or Statutory Authority and the authorised officer passes any order of regularization of unauthorized construction under this Act, such order shall be subject to the decision of such Court or Tribunal or Statutory Authority.

(8) Notwithstanding anything contained in the relevant Act or in any contract, judgment, decree or order of any Court, or any Statutory Authority or any instrument having the force of law, the authorized officer may, entertain an application under sub-section (1) and pass an order of regularisation of unauthorized construction under this Act and upon passing of such order of regularisation of unauthorized construction, such unauthorized construction shall be deemed to have been regularised under the relevant Act.

6. *Duties of officers.*— It shall be the duty of the Collector of the district and the Mamlatdar of every Taluka, upon expiry of a period of 180 days from the date of coming into force of this Act, to identify such Constructions which are unauthorized or any part of it which is unauthorized and have not applied for regularisation within the said period and direct the competent authorities under the relevant Acts to take immediate action for demolition of such unauthorized constructions.



LA/LEGN/2025/1759

The following bill which was introduced in the Legislative Assembly of the State of Goa on 5th August, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Indian Stamp (Goa Amendment) Bill, 2025

(Bill No. 38 of 2025)

A

BILL

further to amend the Indian Stamp Act, 1899 (2 of 1899), as in force in the State of Goa.

Be it enacted by the Legislative Assembly of Goa in the Seventy-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Indian Stamp (Goa Amendment) Act, 2025.

(2) It shall come into force at once.

2. *Amendment of Schedule I-A.*— In Schedule I-A of the Indian Stamp Act, 1899 (2 of 1899), as in force in the State of Goa,—

(i) for article 39, the following article shall be substituted, namely:—

“ 39. MORTGAGE-DEED, not being an agreement relating to Deposit of Title Deeds, Pawn or Pledge (No. 6), Bottomry Bond (No. 16), Mortgage of a Crop (No. 40), Respondentia Bond (No. 56), or Security Bond (No. 57).	
(a) when possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given.	One thousand rupees.
(b) when possession is not given or agreed to be given as aforesaid.	One thousand rupees.
Explanation: A mortgagor who gives to the mortgagee a power of attorney to collect rents or a lease of the property mortgaged or part thereof, is deemed to give possession within the meaning of this article.	
(c) when a collateral or auxiliary or additional or substituted security, or by way of further assurances for the above mentioned purposes where the principal or primary security is duly stamped.	Five hundred rupees.
Exemptions (1) Instrument executed by persons taking advances under the Land Improvement Loans Act, 1883, or the Agriculturists Loans Act, 1884, or by their sureties as secured for the repayment of such advances. (2) Letter of hypothecation accompanying a bill of exchange.	

”;

(ii) in article 64, for clause (a), the following clause shall be substituted, namely:—

“	(a) where there is disposition of property,—	
	(i) where the trust is made for a religious or charitable purpose.	Ten rupees for every rupees five hundred or part thereof of a sum equal to the amount settled or market value of the property settled.
	(ii) where the beneficiary of the trust is father, mother, brother, sister, wife, husband, daughter, son, grandson, grand-daughter, brother in law or sister in law of the author of the trust.	Five thousand rupees.
	(iii) in any other case.	The same duty as is leviable on a conveyance under clause (a) or (b), as the case may be, of article 22, for a sum equal to the amount settled or the market value of the property settled.

”.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend Articles 39 and 64 of Schedule I-A to the Indian Stamp Act, 1899 (2 of 1899), as in force in the State of Goa, in order to rationalize the stamp duty on mortgage and trust instruments. The objective is to reduce the stamp duty burden on mortgagors when mortgaging property without giving possession, and to encourage the registration of trust deeds created for the benefit of family members.

FINANCIAL MEMORANDUM

There will be impact on the State's revenue due to the proposed reduction in the stamp duty for 'Mortgage' and 'Trust' under Article 39 and 64 of Schedule I-A of the Indian Stamp Act, 1899 (2 of 1899), as in force in the State of Goa.

However, the loss cannot be quantified at this stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated is involved in this Bill.

Place: Porvorim-Goa.
Dated: 5th August, 2025

ATANASIO MONSERRATE
Minister for Revenue

Assembly Hall,
Porvorim, Goa.
Dated: 5th August, 2025

NAMRATA ULMAN
Secretary to the
Legislative Assembly of Goa.

Governor's Recommendation Under Article 207 of The Constitution of India.

In pursuance of Article 207 of the Constitution of India, I, Pusapati Ashok Gajapathi Raju, the Governor of Goa, hereby recommend the introduction and consideration of the Goa Public Universities Bill, 2025, by the Legislative Assembly of Goa.

Place: Raj Bhavan, Dona Paula, Goa.
Dated: 5th August, 2025

Pusapati Ashok Gajapathi Raju
Governor of Goa.

**Extract of article 39 and 64 of the Indian Stamp Act, 1899 (2 of 1899),
as in force in the State of Goa**

Sr. No.	Article	Clause	Existing Provision	
1	39	MORTGAGE-DEED, not being an agreement relating to Deposit of Title Deeds, Pawn or Pledge (No. 6), Bottomry Bond (No. 16), Mortgage of a Crop (No. 40), Respondentia Bond (No. 56), or Security Bond (No. 57).		
		(a)	When possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given—	One thousand rupees
		(b)	when possession is not given or agreed to be given as aforesaid: Explanation. A mortgagor who gives to the mortgagee a power of attorney to collect rents or a lease of the property mortgaged or part thereof, is deemed to give possession within the meaning of this article.	The same as Bond (No. 15) for the amount secured by such deed.
		(c)	when a collateral or auxiliary or additional or substituted security, or by way of further	

			assurances for the above mentioned purposes where the principal or primary security is duly stamped—	
			for every sum secured not exceeding Rs. 1,000/-;	Two rupees.
			and for every Rs. 1,000/- or part thereof secured in excess of Rs. 1,000/-	Two rupees.
			Exemptions (1) Instrument executed by persons taking advances under the Land Improvement Loans Act, 1883, or the Agriculturists Loans Act, 1884, or by their sureties as secured for the repayment of such advances.	
			(2) Letter of hypothecation accompanying a bill of exchange.	
2	64	<i>[TRUST—A. Declaration of - of, or concerning, any property when made by any writing not being a Will,—</i>		
	(a)	where there is disposition of property,—		
		(i)	where the Trust is made for a religious or charitable purpose	Ten rupees for every rupees five hundred or part thereof of a sum equal to the amount settled or market value of the property settled.
		(ii)	in any other case	The same duty as is leviable on a conveyance under clause (a) or (b), as the case may be, of Article 22, for a sum equal to the amount settled or the market value of the property settled.

LA/LEGN/2025/1760

The following bill which was introduced in the Legislative Assembly of the State of Goa on 5th August, 2025 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Panchayat Raj (Amendment) Bill, 2025

(Bill No. 41 of 2025)

A

BILL

further to amend the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994).

BE it enacted by the Legislative Assembly of Goa in the Seventy-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Panchayat Raj (Amendment) Act, 2025.

(2) It shall come into force at once.

2. *Amendment of Section 47.*— In the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994) (hereinafter referred to as the “principal Act”), for clause (i), following clause shall be substituted, namely:—

“(i) to issue licences for construction, repairs, modification or alteration of a building, so also occupancy certificate thereof, in pursuance of the resolution of the Panchayat, except for repairs of building which consists of a single dwelling unit for which no resolution is required;”.

3. *Amendment of Section 47-B.*— In Section 47-B of the principal Act, for the words “within one month”, the words “within fifteen days” shall be substituted.

4. *Amendment of Section 66.*— In Section 66 of the principal Act,—

(i) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) If the Panchayat does not, within a period of fifteen days from the date of receipt of the application under sub-section (1), determine whether such permission should be given or not and communicate its decision to the applicant, after expiry of such period of fifteen days, such permission shall be deemed to have been granted to the applicant and the applicant shall be free to execute the work strictly in accordance with the technical clearance and plans as approved by Town and Country Planning Authorities and in conformity with conditions laid down by all other statutory authorities but not so as to contravene any of the provisions of this Act or any rules or bye-laws made under this Act or of any other law for the time being in force:

Provided that the observations, if any, of the Panchayat in respect of the application under this section to be complied by the applicant shall be communicated by the Panchayat to the applicant compulsorily in one single communication and within a period of seven days from the date of receipt of such application. The period between the date of dispatch of such communication by the Panchayat and the date of compliance by the applicant shall not be considered for calculating such period of fifteen days specified for the purpose of determination of application by the Panchayat.”;

(ii) in sub-section (2A), the expression “within a period of fifteen days from the date on which such permission is deemed to have been granted under sub-section (2)”, shall be omitted;

(iii) for sub-section (2E), the following sub-section shall be substituted, namely:—

“(2E) If the Panchayat does not, within a period of fifteen days from the date of receipt of application for occupancy certificate, determine whether such occupancy certificate should be issued or not and communicate its decision to the applicant, after expiry of such period of fifteen days, such occupancy certificate shall be deemed to have been issued if the applicant has obtained necessary completion certificate from the Town and Country Planning Authorities as per the provisions of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) and the Regulations framed thereunder:

Provided that the observations, if any, of the Panchayat in respect of the application under this section to be complied by the applicant shall be communicated by the Panchayat to the applicant compulsorily in one single communication and within a period of seven days from the date of receipt of such application. The period between the date of dispatch of such communication by the Panchayat and the date of compliance by the applicant shall not be considered for calculating such period of fifteen days specified for the purpose of determination of application by the Panchayat.”;

(iv) in sub-section (2F), the expression “within a period of fifteen days from the date on which such occupancy certificate is deemed to have been issued under sub-section (2E)”, shall be omitted.

5. *Amendment of Section 72.*— In Section 72 of the principal Act,—

(i) for sub-section (2A), the following sub-section shall be substituted, namely:—

“(2A) If the Panchayat does not, within a period of seven days from the date of receipt of the application under sub-section (1), determine whether such licence under Section 69, 70 or 71 should be granted or not and communicate its decision to the applicant, after expiry of such period of seven days, such licence shall be deemed to have been granted to the applicant, subject to the condition that the applicant obtains all the requisite other permissions from other statutory authorities for the purpose of carrying out the activity by virtue of such licence, but not so as to contravene any of the provisions of this Act or any rules or bye-laws made under this Act or of any other law for the time being in force:

Provided that the observations, if any, of the Panchayat in respect of the application under this section to be complied by the applicant shall be communicated by the Panchayat to the applicant compulsorily in one single communication and within a period of three days from the date of receipt of such application. The period between the date of dispatch of such communication by the Panchayat and the date of compliance by the applicant shall not be considered for calculating such period of seven days specified for the purpose of determination of application by the Panchayat.”;

(ii) in sub-section (2B), the expression “within a period of fifteen days from the date on which such licence is deemed to have been granted under sub-section (2A)”, shall be omitted.

6. *Insertion of new Section 72-A.*— After Section 72 of the principal Act, following section shall be inserted, namely:—

“72-A. *Sealing of premises carrying on any trade and or occupation without licence.*— (1) If any person without obtaining a licence from the Panchayat under Section 69 or Section 70 or Section 71 carries on any trade or occupation in any premises within the limits of Panchayat jurisdiction, the Panchayat shall, after giving an opportunity of being heard to such person seal such premises:

Provided that if the application for licence is already submitted to the Panchayat, such premises shall not be sealed till such application is rejected on merit:

Provided further that no such premises shall be sealed till the expiry of the period given to rectify any defect thereof.

(2) An appeal against the order of the Panchayat shall lie before the Director and the decision of the Director in the matter shall be final:

Provided that the Director shall not grant any interim relief without hearing the Panchayat.”.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend sub-clause (i) of Section 47 of the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994) hereinafter referred to as the said Act” so as to simplify the process of issuance of repair permission to single dwelling units by giving power to Panchayat Secretary to issue repair permission without placing before Panchayat meeting.

The Bill seeks to amend Section 47-B of the said Act, to reduce the time period to execute the order passed by higher authority, in the interest of justice.

The Bill seeks to amend sub-sections (2) and (2A) of Section 66 of the said Act so as to reduce the time period for disposal of application for construction licence from 30 days to 15 days as envisaged in the reforms proposed in context with Business Reforms Action Plan (BRAP), 2024.

The Bill seeks to amend sub-sections (2E) and (2F) of Section 66 of the said Act so as to reduce the time period for disposal of application for occupancy certificate from 45 days to 15 days as envisaged in the reforms proposed in context with Business Reforms Action Plan (BRAP), 2024

The Bill seeks to amend sub-sections (2A) and (2B) of Section 72 of the said Act so as to reduce the time period for disposal of application for trade licence from 15 days to 07 days as envisaged in the reforms proposed in context with Business Reforms Action Plan (BRAP), 2024.

The Bill seeks to insert new Section 72-A in the principal Act as there is no provision in the said Act to seal the premises if any trade or business is carried out in the Panchayat jurisdiction without valid licence or permission from the concerned Panchayat.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

No financial implications are involved in this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is envisaged in this Bill.

Porvorim-Goa.
August, 2025

Shri MAUVIN GODINHO
Minister of Panchayats.

Assembly Hall,
Porvorim, Goa.
August, 2025

NAMRATA A. ULMAN
Secretary to the
Legislative Assembly of Goa.

ANNEXURE

(Annexure to the Goa Panchayat Raj (Amendment) Bill, 2025
(Bill No. 41 of 2025))

The Goa Panchayat Raj Act, 1994 (Act 14 of 1994)

47. *Executive powers and functions of the Secretary.*— Notwithstanding anything contained in this Act and the rules framed thereunder, the Secretary shall also exercise the powers on the following matters, namely:—

- (i) to issue the licences for construction, repairs, modification, alteration, so also occupancy certificate in pursuance of the resolution of the Panchayat;
- (ii) to initiate action for stopping and or demolishing an unauthorized structure/building constructed without the permission of the Panchayat after resolution is passed to that effect;
- (iii) to execute the resolution passed by the Panchayat body.

The Goa Panchayat Raj Act, 1994 (Act 14 of 1994)

47-B. *Execution of order by the Secretary.*— Notwithstanding anything contained in section 47, the Secretary shall execute the order passed by any

Authority in any appeal or petition made before such Authority under the provisions of this Act or Rules framed thereunder, if the Panchayat fails to execute the same within the time limit as specified in such order and in case no time limit has been specified, within one month of passing of such order.

The Goa Panchayat Raj Act, 1994 (Act 14 of 1994)

66. *Regulation of the erection of buildings.*— (1) Subject to such rules as may be prescribed, no person shall erect any building or alter or add to any existing building or reconstruct any building without the written permission of the Panchayat. The permission may be granted after an application for the purpose is made and on payment of such fees as prescribed.

Provided that alteration of a building which consists of a single dwelling unit constructed or in existence before the commencement of this Act shall be permitted to the extent of replacement of tiles roofing with the R.C.C. slab roofing upon production of certificate of stability of such building issued by the Registered structural Engineer.

(2) If a Panchayat does not, within a period of thirty days from the date of receipt of the application under sub-section (1), determine whether such permission should be given or not and communicate its decision to the applicant, the Secretary shall forward the application to the Block Development Officer on expiry of such period of thirty days and the applicant may also file an appeal within a period of thirty days from the date of expiry of aforesaid period to the Block Development Officer.

The Block Development Officer shall immediately upon receipt of such application from the Secretary or appeal from the applicant, whichever is earlier, proceed to determine whether such permission should be given or not. If the Block Development Officer fails to determine whether such permission should be given or not and communicate his decision to the applicant within a period of thirty days from the date of intimation by the

Secretary or receipt of appeal immediately upon expiration of such period of thirty days, such permission shall be deemed to have been granted to the applicant to execute the work strictly in accordance with the technical clearance and plans as approved by Town and Country Planning

Authorities and in conformity with conditions laid down by all other statutory authorities and not so as to contravene any of the provisions of this Act or any rules or bye-laws made under this Act or of any other law for the time being in force;

(2A) Where the permission under sub-section (1) is deemed to have been granted under sub-section (2), before proceeding with execution of the work, the applicant shall give intimation notice in such form as prescribed, to the Panchayat, the Block Development Officer and the Town and Country Planning Authorities within a period of fifteen days from the date on which such permission is deemed to have been granted under sub-section (2) and he shall also deposit with the Secretary the fees payable under sub-section (1). The Secretary shall be duty bound to accept such fees and issue proper receipt to the applicant and credit such fees to the Panchayat Fund.

(2B) The applicant after complying with the provisions of sub-section (2A), shall be entitled to execute the work strictly in accordance with the technical clearance and plans approved by the Town and Country Planning Authorities and in conformity with conditions laid down by all other statutory authorities and the applicant shall follow the procedure as may be applicable for obtaining the completion certificate within the validity period.

(2C) Subject to such rules as prescribed, no building erected, re-erected or altered in pursuance of sub-section (1), (2) or (2B), shall be occupied in whole or part until an occupancy certificate is issued by the Panchayat after confirming that such building is in conformity with approved plans.

(2D) The occupancy certificate shall be issued by Panchayat on payment of such occupancy fees as prescribed.

(2E) If a Panchayat does not, within thirty days from the date of receipt of application for occupancy certificate, determine whether such occupancy certificate should be issued or not and communicate its decision to the applicant, such occupancy certificate shall be deemed to have been issued, if the applicant has obtained necessary completion certificate from the Town and Country Planning Authorities as per the provisions of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) and the Regulations framed thereunder.

(2F) Where the occupancy certificate is deemed to have been issued under sub-section (2E), before proceeding to occupy the premises, the applicant shall give intimation notice in such form as prescribed to the concerned Panchayat and the Block Development Officer within a period of fifteen days from the date on which such occupancy certificate is deemed to have been issued under sub-section (2E) and he shall also deposit with the Secretary the occupancy fees as payable under sub-section (2D). The Secretary shall be duty bound to accept the occupancy fees and issue a proper receipt to the applicant and credit such fees to the Panchayat Fund.

(3) Whenever any building is erected, added to or reconstructed without such permission or in any manner contrary to the rules prescribed under sub-section (1) or any conditions imposed by the permission granted, the Panchayat may,—

(a) direct that the building, alteration or addition be stopped; or

(b) by written notice require within a reasonable period to be specified therein, such building alteration or addition to be altered or demolished

(4) In the event of non-compliance with terms of any notice under clause (b) of sub-section (3) within the period specified in the notice, it shall be lawful for the Panchayat to take such action as may be necessary for

the completion of the act thereby required to be done, and all the expenses therein incurred by the Panchayat shall be paid by the person or persons upon whom the notice was served and shall be recoverable as if it were a tax imposed under this Act.

(5) Where the Panchayat fails to demolish the building which is erected, added to or reconstructed without the permission of the Panchayat, or in any manner contrary to 41 or any conditions imposed in the permission, within a month from the date of the knowledge, the Deputy Director shall assume the powers of the Panchayat under sub-sections (3), (4) and (5) and take such steps as may be necessary for the demolition of such building.

(6) Notwithstanding anything contained in the foregoing provisions, the Block Development Officer concerned may, by notice addressed to the person responsible, stop any construction which is being constructed in violation of the provisions of the Act or rules or bye-laws made thereunder and refer the case to the Deputy Director of Panchayat. On receipt of the notice, such person shall forthwith stop the same.

(7) An appeal shall lie to the Director, within a period of thirty days from any order of direction or notice issued under any of the provisions of this section and the decision of the Director on such appeal shall be final.

Explanation:— For the purpose of this section, failure to communicate the decision by the Panchayat under sub-section (2) and failure to demolish the building under sub-sections (3) and (4) shall be deemed to be ‘remiss’ in the performance of duties by the Panchayat.

The Goa Panchayat Raj Act, 1994 (Act 14 of 1994)

72. *Provisions applicable to permission and licences.*— (1) A permission under Section 68 or the licence under Sections 69, 70 or 71, shall be granted or renewed, only after an application for the purpose is made and on payment in advance of such fee as prescribed.

(2) The Panchayat may, for reasons to be recorded in writing refuse to grant the permission under Section 68 or to grant or renew a licence or suspend or cancel a licence granted or renewed, under Sections 69, 70 and 71 for default of any of

Clarification regarding objectives and aims for proposing amendments to the Goa Panchayat Raj Act, 1994

Sr. No.	Existing provisions of the Act	Proposed Amendments	Clarification & justification for proposing Amendments
1	47. Executive powers and functions of the Secretary. — Notwithstanding anything contained in this Act and the rules framed thereunder, the Secretary shall also exercise the powers on the following matters, namely:—	<i>Amendment of section 47.</i> — In the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994) (hereinafter referred to as the “principal Act”), for clause (i), following clause shall be substituted, namely: —	The word ‘also’ creates an ambiguity in execution of powers which gives impression that besides Secretary there are other authorities who can exercise such powers. The amendment aims to remove such ambiguity.
	(i) to issue the licences for construction, repairs, modification, alteration, so also occupancy certificate in pursuance of the resolution of the Panchayat;	“(i) to issue licences for construction, repairs, modification or alteration of a building, so also occupancy certificate thereof, in pursuance of the resolution of the Panchayat, except for	This amendment would simplify the process of issuance of repair permission to single dwelling units by giving power to Panchayat Secretary to issue repair

		repairs of building which consists of a single dwelling unit for which no resolution is required;”.	permission without placing before Panchayat meeting.
	(ii) to issue the permission/license for trade, business, industry, hotel, restaurant, eating house, coffee house, sweetmeat shop, bakery, boarding house or lodging house (other than a hostel recognized by the Government) or a dharmashala or for manufacturing ice or aerated water or any other permission/licence under section 68, 69, 70 or 71 of this Act, in pursuance of the resolution of the Panchayat;		
	(iii) upon an order of the Block Development Officer to issue permission/license for construction, repairs, modification, alteration, or to issue permissions/license for trade, business, industry, hostel, restaurant, eating house, coffee house, sweetmeat shop, bakery, boarding house or lodging house (other than a hostel recognized by the Government) or a dharmashala or for manufacturing ice or aerated water or any other permission/license under Section 66, 68, 69, 70 or 71 of this Act, or any occupancy certificate.		
	(iv) to initiate action for stopping and or demolishing an unauthorized structure/ building constructed without the permission of the Panchayat after resolution is passed to that effect;		
	(v) to execute the resolution passed by the Panchayat body.		
2.	47-B. Execution of order by the Secretary. — Notwithstanding anything contained in section 47, the Secretary shall execute the	Amendment of Section 47-B. —In section 47-B of the principal Act, for the words “within one month”, the	This amendment aims to reduce the time period to execute the order passed by higher authority, in the interest of justice.

	order passed by any Authority in any appeal or petition made before such Authority under the provisions of this Act or Rules framed thereunder, if the Panchayat fails to execute the same within the time limit as specified in such order and in case no time limit has been specified, within one month of passing of such order.	words “within fifteen days” shall be substituted.	
3.	66. Regulation of the erection of buildings.— (1) Subject to such rules as may be prescribed, no person shall erect any building or alter or add to any existing building or reconstruct any building without the written permission of the Panchayat. The permission may be granted after an application for the purpose is made and on payment of such fees as prescribed. Provided that alteration of a building which consists of a single dwelling unit constructed or in existence before the commencement of this Act shall be permitted to the extent of replacement of tiles roofing with the R.C.C. slab roofing upon production of certificate of stability of such building issued by the Registered structural Engineer.	Amendment of section 66.— In section 66 of the principal Act, for sub-section (2), the following sub-section shall be substituted namely:-	
	(2) If a Panchayat does not, within a period of <u>thirty days</u> from the date of receipt of the application under sub-section (1), determine whether such permission should be given or not and communicate its decision to the applicant, the Secretary shall forward the application to the Block Development Officer on expiry of such period of thirty days and the applicant may also file an appeal within a period of	“(2) If the Panchayat does not, within a period of fifteen days from the date of receipt of the application under sub-section (1), determine whether such permission should be given or not and communicate its decision to the applicant, after expiry of such period of fifteen days, such permission shall be deemed to have been granted to the applicant and the applicant shall be free to	The amendment to sub-section (2) and (2A), of Section 66 of the principal Act aims to reduce the time period for disposal of application for construction licence from presently 105 days to 30 days as envisaged in the reforms proposed in context with Business Reforms Action Plan (BRAP), 2024.

	<u>thirty days</u> from the date of expiry of aforesaid period to the Block Development Officer. The Block Development Officer shall immediately upon receipt of such application from the Secretary or appeal from the applicant, whichever is earlier, proceed to determine whether such permission should be given or not. If the Block Development Officer fails to determine whether such permission should be given or not and communicate his decision to the applicant within a period of <u>thirty days</u> from the date of intimation by the Secretary or receipt of appeal immediately upon expiration of such period of <u>thirty days</u>, such permission shall be deemed to have been granted to the applicant to execute the work strictly in accordance with the technical clearance and plans as approved by Town and Country Planning Authorities and in conformity with conditions laid down by all other statutory authorities and not so as to contravene any of the provisions of this Act or any rules or bye-laws made under this Act or of any other law for the time being in force;	execute the work strictly in accordance with the technical clearance and plans as approved by Town and Country Planning Authorities and in conformity with conditions laid down by all other statutory authorities but not so as to contravene any of the provisions of this Act or any rules or bye-laws made under this Act or of any other law for the time being in force : Provided that the observations, if any, of the Panchayat in respect of the application under this section to be complied by the applicant shall be communicated by the Panchayat to the applicant compulsorily in one single communication and within a period of seven days from the date of receipt of such application. The period between the date of dispatch of such communication by the Panchayat and the date of compliance by the applicant shall not be considered for calculating such period of fifteen days specified for the purpose of determination of application by the Panchayat.”;	
	(2A) Where the permission under sub-section (1) is deemed to have been granted under sub-section (2), before proceeding with execution of the work, the applicant shall give intimation notice in such form as prescribed, to the Panchayat, the Block Development Officer and the Town and Country Planning Authorities <u>within a period of fifteen days</u> from the date on which such permission is deemed to have been granted under sub-section (2) and he shall also deposit with the Secretary the fees payable under sub-section (1). The	in sub-section (2A), the expression “within a period of fifteen days from the date on which such permission is deemed to have been granted under sub-section (2)”, shall be omitted;	

	Secretary shall be duty bound to accept such fees and issue proper receipt to the applicant and credit such fees to the Panchayat Fund.		
	(2B) The applicant after complying with the provisions of sub-section (2A), shall be entitled to execute the work strictly in accordance with the technical clearance and plans approved by the Town and Country Planning Authorities and in conformity with conditions laid down by all other statutory authorities and the applicant shall follow the procedure as may be applicable for obtaining the completion certificate within the validity period.		
	(2C) Subject to such rules as prescribed, no building erected, re-erected or altered in pursuance of sub-section (1), (2) or (2B), shall be occupied in whole or part until an occupancy certificate is issued by the Panchayat after confirming that such building is in conformity with approved plans.		
	(2D) The occupancy certificate shall be issued by Panchayat on payment of such occupancy fees as prescribed.		
	(2E) If a Panchayat does not, within thirty days from the date of receipt of application for occupancy certificate, determine whether such occupancy certificate should be issued or not and communicate its decision to the applicant, such occupancy certificate shall be deemed to have been issued, if the applicant has obtained necessary completion certificate from the Town and Country Planning Authorities as per the provisions of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa	for sub-section (2E), the following sub-section shall be substituted, namely:— (2E) If the Panchayat does not, within a period of fifteen days from the date of receipt of application for occupancy certificate, determine whether such occupancy certificate should be issued or not and communicate its decision to the applicant, after expiry of such period of fifteen days such occupancy certificate shall be deemed to have been issued if the applicant has	The amendment to sub-section (2E) and (2F) of Section 66 of the principal Act aims to reduce the time period for disposal of application for occupancy certificate from presently 45 days to 15 days as envisaged in the reforms proposed in context with Business Reforms Action Plan (BRAP), 2024

	Act 6 of 2008) and the Regulations framed thereunder.	obtained necessary completion certificate from the Town and Country Planning Authorities as per the provisions of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) and the Regulations framed thereunder: Provided that the observations, if any, of the Panchayat in respect of the application under this section to be complied by the applicant shall be communicated by the Panchayat to the applicant compulsorily in one single communication and within a period of seven days from the date of receipt of such application. The period between the date of dispatch of such communication by the Panchayat and the date of compliance by the applicant shall not be considered for calculating such period of fifteen days specified for the purpose of determination of application by the Panchayat.”;		
	(2F) Where the occupancy certificate is deemed to have been issued under sub-section (2E), before proceeding to occupy the premises, the applicant shall give intimation notice in such form as prescribed to the concerned Panchayat and the Block Development Officer within a period of fifteen days from the date on which such occupancy certificate is deemed to have been issued under sub-section (2E) and he shall also deposit with the Secretary the occupancy fees as payable under sub-section (2D). The Secretary shall be duty bound to accept the occupancy fees and issue a proper receipt to the	in sub-section (2F), the expression “within a period of fifteen days from the date on which such occupancy certificate is deemed to have been issued under sub-section (2E)”, shall be omitted.		

	applicant and credit such fees to the Panchayat Fund.		
	(3) Whenever any building is erected, added to or reconstructed without such permission or in any manner contrary to the rules prescribed under sub-section (1) or any conditions imposed by the permission granted, the Panchayat may, — (a) direct that the building, alteration or addition be stopped; or (b) by written notice require within a reasonable period to be specified therein, such building alteration or addition to be altered or demolished.		
	(4) In the event of non-compliance with terms of any notice under clause (b) of sub-section (3) within the period specified in the notice, it shall be lawful for the Panchayat to take such action as may be necessary for the completion of the act thereby required to be done, and all the expenses therein incurred by the Panchayat shall be paid by the person or persons upon whom the notice was served and shall be recoverable as if it were a tax imposed under this Act.		
	(5) Where the Panchayat fails to demolish the building which is erected, added to or reconstructed without the permission of the Panchayat, or in any manner contrary to the rules made under the Act or any conditions imposed in the permission, within a month from the date of the knowledge, the Deputy Director shall assume the powers of the Panchayat under sub-sections (3), (4) and (5) and take such steps as may be necessary for the demolition of such building.		
	(6) Notwithstanding anything contained in the foregoing provisions, the Block		

	Development Officer concerned may, by notice addressed to the person responsible, stop any construction which is being constructed in violation of the provisions of the Act or rules or bye-laws made thereunder and refer the case to the Deputy Director of Panchayat. On receipt of the notice, such person shall forthwith stop the same.		
	(7) An appeal shall lie to the Director, within a period of thirty days from any order of direction or notice issued under any of the provisions of this section and the decision of the Director on such appeal shall be final.		
	Explanation:—For the purpose of this section, failure to communicate the decision by the Panchayat under sub-section (2) and failure to demolish the building under sub-sections (3) and (4) shall be deemed to be ‘remiss’ in the performance of duties by the Panchayat.		
4.	72. Provisions applicable to permission and licences.— (1) A permission under Section 68 or the licence under Sections 69, 70 or 71, shall be granted or renewed, only after an application for the purpose is made and on payment in advance of such fee as prescribed..	<i>Amendment of Section 72.- In Section 72 of the principal Act,-</i>	
	(2) The Panchayat may, for reasons to be recorded in writing refuse to grant the permission under section 68 or to grant or renew a licence or suspend or cancel a licence granted or renewed, under sections 69, 70 and 71 for default of any of the conditions subject to which the licence was granted.		
	(2A) If a Panchayat does not, within a period of thirty days	(i) for sub-section (2A), the following sub-section shall be	The amendment to sub-section (2A) and (2B) of

	from the date of receipt of the application under sub-section (1), determine whether such licence under Section 69, 70 or 71 should be granted or not and communicate its decision to the applicant, the Secretary shall forward the application to the Block Development Officer on expiry of such period of thirty days and the applicant may file an appeal within a period of thirty days from the date of expiry of aforesaid period to the Block Development Officer. The Block Development Officer shall, immediately upon receipt of such application from the Secretary or appeal from the Applicant, whichever is earlier, proceed to determine whether such licence should be granted or not. If the Block Development Officer fails to determine whether such licence should be granted or not and communicate his decision to the applicant within a period of thirty days from the date of receipt of such application from Secretary or appeal, immediately upon expiration of such period of thirty days, such licence shall be deemed to have been granted to the applicant, subject to the condition that the applicant obtains all the requisite other permissions from other statutory authorities for the purpose of carrying out the activity by virtue of such licence, but not so as to contravene any of the provisions of this Act or any rules or bye-laws made under this Act or of any other law for the time being in force.	substituted, namely:- “(2A) If the Panchayat does not, within a period of seven days from the date of receipt of the application under sub-section (1), determine whether such licence under section 69, 70 or 71 should be granted or not and communicate its decision to the applicant, after expiry of such period of seven days, such licence shall be deemed to have been granted to the applicant, subject to the condition that the applicant obtains all the requisite other permissions from other statutory authorities for the purpose of carrying out the activity by virtue of such licence, but not so as to contravene any of the provisions of this Act or any rules or bye-laws made under this Act or of any other law for the time being in force: Provided that the observations, if any, of the Panchayat in respect of the application under this section to be complied by the applicant shall be communicated by the Panchayat to the applicant compulsorily in one single communication and within a period of three days from the date of receipt of such application. The period between the date of dispatch of such communication by the Panchayat and the date of compliance by the applicant shall not be considered for calculating such period of seven days specified for the purpose of determination of application by the Panchayat.”;	Section 72 of the principal Act aims to reduce the time period for disposal of application for trade licence from presently 15 days to 7 days as envisaged in the reforms proposed in context with Business Reforms Action Plan (BRAP), 2024.
	(2B) Where such licence under Section 69, 70 or 71 is deemed to have been granted under sub-section (2A), before proceeding to carry out any activity by virtue of	(ii) in sub-section (2B), the expression “within a period of fifteen days from the date on which such licence is deemed to have been granted	

	such licence, the applicant shall give intimation notice in such form as prescribed, to the Panchayat and the Block Development Officer within a period of fifteen days from the date on which such license is deemed to have been granted under sub-section (2A) and he shall also deposit with the Secretary the fee payable under sub-section (1). The Secretary shall be duty bound to accept such fee and issue proper receipt to the applicant and credit such fee to the Panchayat Fund.	under sub-section (2A) ”, shall be omitted.	
	(3) Any person aggrieved by the refusal to grant permission under section 68 or to grant or renew licence, or by the suspension or cancellation of a licence under sub-section (2) may, within thirty days of the date of communication of the order, appeal to the Director and his decision on such appeal shall be final.		
5.		<i>Insertion of new Section 72-A.</i> — After Section 72 of the principal Act, following section shall be inserted, namely:—	
		<i>“ 72-A. Sealing of premises carrying on any trade and or occupation without licence.</i> — (1) If any person without obtaining a licence from the Panchayat under Section 69 or Section 70 or Section 71 carries on any trade or occupation in any premises within the limits of Panchayat jurisdiction, the Panchayat shall, after giving an opportunity of being heard to such person seal such premises: Provided that if the application for licence is	

		already submitted to the Panchayat, such premises shall not be sealed till such application is rejected on merit: Provided further that no such premises shall be sealed till the expiry of the period given to rectify any defect thereof. (2) An appeal against the order of the Panchayat shall lie before the Director and the decision of the Director in the matter shall be final: Provided that the Director shall not grant any interim relief without hearing the Panchayat.”.	
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