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SERIES I No. 44

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

NOTE

There are two Extraordinary issues to the Official Gazette, Series I No. 43 dated 25-1-2024, namely:—

(1) Extraordinary dated 29-1-2024 from pages 2675 to 2678, Notification from Department of Co-operation regarding DRs—the Goa Co-operative Societies (Fifth Amendment) Rules, 2024; and Lottery Scheme from Department of Finance.

(2) Extraordinary (No. 2) dated 30-1-2024 from pages 2679 to 2690, Notifications from Department of Finance regarding GST.

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GOVERNMENT OF GOA

Department of Education
Directorate of Higher Education

Notification

DE/Accounts/Bal Rath/2024/547

Sub: Scheme to provide school buses to the Aided Schools (Balrath).

In order to cater to the need of the aided schools, especially in the rural areas, it is essential to provide school buses to the aided Institutions for proper transportation to the students. For this purpose, a scheme was

formulated by the Government, namely a scheme "to provide assistance or Grant-in-Aid to Government Aided Institutions/Special Schools/Higher Secondary Schools 2013". For better facilities to the children, the Government is now pleased to revise the said scheme as follows:

1. *Introduction.*— The school going children of the rural as well as urban area face difficulties to reach to schools in time due to lack of transportation facilities available during the school timings. The children have to walk pretty long distance to reach to the schools. By the time they reach the school and back home, they are

tired, which in turn, affects the learning ability of the child.

2. *Short title and commencement.*— (i) This scheme shall be called scheme “to provide assistance or Grant-in-Aid to Government Aided High Schools/Special Schools/Higher Secondary Schools, 2023”.

(ii) The revised scheme shall come into force on the date the Notification is published in the Official Gazette.

(iii) The scheme shall be applicable to the entire State of Goa.

3. *Aim & Objectives.*— The scheme intends to provide proper transportation to the students studying in aided schools and strengthen the educational infrastructure of the State thereby catering to the need of the aided schools.

(i) The main objective of the scheme is to provide transport facility to the school going children, without any hardship.

(ii) To inculcate punctuality in attending the schools.

(iii) To make the children physically and mentally fit to attend the classes, thereby enhancing their learning ability.

4. *Eligibility.*— All the Government aided High Schools, Higher Secondary Schools and Special Schools recognized by the Directorate of Education, shall be eligible for the scheme.

5. *Funding pattern.*— The Director of Education is the Authority for funding and implementation of this scheme as per the budget of Education Department.

6. *Sanction and Release of funds.*— The Director of Education, on receipt of the relevant documents at point 8(i), shall verify the particulars submitted by the applicant Institution, and if found in order, release the amount.

7. *Recurring Grants.— Nature & Quantum of Assistance:*— (i) Under the scheme, one Driver with fixed remuneration of Rs. 17,000/- per month and one Attendant/Cleaner with remuneration of Rs. 10,000/- per month, shall be paid by the Institution

from the grants received from the Education Department. The remuneration of the Drivers and Cleaners/Attendants shall be increased by 5% every year of service prospectively; provided that Drivers and Attendants/Cleaners have worked continuously for 12 months, with a break of 01 day on 31st May in previous academic year. As such, the total grants to be released shall be changing accordingly by 5% of total remuneration components of Grants. The remuneration to the Drivers & Cleaners/Attendants should be paid by 1st/2nd of every month, to their respective Bank Account without any further delay.

(a) The Driver should have valid Driving License and Badge issued by Competent Authority. The Driver & Attendant shall be appointed on contract basis by the Management. The payment to Driver and Attendant/Cleaner shall be made through their Bank Accounts.

(b) The driver shall maintain a log book for the vehicle.

(c) The copies of log book shall be submitted to Directorate of Education every quarter, duly certified by the Head of Institutions and Chairman of the Managing Committee. These employees shall not be entitled for regularization of services.

(d) The Driver and Attendant/Cleaner of the bus shall take utmost care that the children are protected from any eventualities and disturbances. During the night, the bus shall be parked near the respective school building.

(e) The attendance of the Driver and Attendant/Cleaner has to be ascertained by the School Authority at which they are placed at the time of payment of remuneration.

(f) At no time the Drivers & Cleaners/Attendants should be appointed in service after attaining the age of 60 years.

(g) The timings/working hours of the Drivers & Attendants shall be as per school hours or as decided by the school management.

(h) The recurring grant shall include expenses towards remuneration, P.O.L. (fuel), repairs and maintenance and Insurance of the vehicle. For repairs and maintenance of vehicle, a maximum amount of Rs. 50,000/- per year or actual cost, whichever is less. The maintenance of the vehicle shall be done by the Management of the Institutions through dealers recognized by the vehicle company. An amount of Rs. 50,000/- per annum or actual, whichever is less, shall be provided for yearly insurance and tax to be paid by Institution.

(i) The Directorate of Education shall release recurring grants of Rs. 5.50 lakhs per annum and shall be released in the month of September every year on submission of relevant documents [as mentioned at point No. 8 (i)] of previous year to the Sanctioning Authority i.e. Directorate of Education & in case, the said Bus is not in working condition/condemned/absolute, the grants sanctioned shall be returned to Education Department.

(j) The bus is required to pick up and drop students within a radius of 5 kms. for School/High School and 7 kms. for Higher Secondary School, beyond which, the Management will be responsible for any untoward incidences.

8. *Procedures to release the recurring Grants.*— The Management of the School shall submit the following documents of the preceding financial year latest by 30th June every year:

(i) Audited Statement of accounts i.e. receipts & payment, Utilization Certificate, duly signed by Chartered Accountant.

(ii) A Certificate from Parent Teachers Association certifying that the school bus was in operation throughout the year and the bus services was to the satisfaction of Parent Teachers Association.

(iii) A Certificate issued by Head of Institute/School certifying that the Driver and Cleaner/Attendant have rendered their services for entire previous 12 months in

the academic year, with a break of 01 day, countersigned by Management.

(iv) Fitness Certificate issued by RTO.

9. As per directives, the Institution to constitute a Committee “Children Transportation Committee” to look into the matters pertaining to safe transportation of school children, transportation fees, identification of bus stops, etc.

10. *Other terms.*— (i) The grant of financial assistance under the scheme cannot be claimed as a matter of right.

(ii) The scheme shall not be applicable to Institution/School/HSS/Special Schools who have availed school mini buses under Indira Balrath, Gomanth Balrath, Suvarna Balrath or similar Government Schemes.

(iii) The Grantee Institution shall maintain a separate account in respect of the grants released under this scheme. The accounts shall remain open for Inspection to the Director of Education or his representative as and when required. This shall also be open to test check by the Comptroller and Auditor General of India. All the payment of Rs. 100 and above should be settled by issuing cheque/Bank transfer to the concerned party.

(iv) For misrepresentation of any fact, the Director of Education reserves the right to accept or reject the application/grant.

(v) The vehicle should be made available for inspection/check to the officer deputed by the Government.

(vi) The Grantee Institution shall not see or dispose off the vehicle, without prior permission by the Government.

(vii) The Grantee Institution shall not carry the vehicle outside the State, without prior permission of the Government.

(viii) The school shall finalize the route on which bus should ply and place the same before Parents Teacher Association for passing resolution on the same. A copy of resolution passed by the Parent Teacher Association should be forwarded to the Director of Education.

(ix) The Grantee Institution shall maintain a record of all assets acquired wholly or substantially from Government grant in the Stock Register and present these to the Auditor as and when required.

(x) In case of delay in sanctioning the recurring grants by the Government, the management of a grantee Institution shall operate the bus and provide facility to the students by incurring expenditure from their own funds including salaries of Drivers & Attendants.

(xi) In any case, the management shall not spend the grants released beyond the guidelines/norms framed by the Government.

(xii) All the traffic rules/guidelines issued by respective Department/Government from time to time may be strictly followed.

(xiii) The passing & servicing of the vehicle should be done from time to time from the concerned authorities.

11. *Other conditions and requirements.*—

(i) To become eligible under the scheme, the school shall require to produce a Certificate from the Chartered Accountant, certifying that there is minimum balance of Rs. 1 lakh in the Bank in the name of the Society, Trust, Management running the school and that the said management running the school is capable of operating the school bus and financially sound to bear recurring expenses, day-to-day expenses to run the school bus, in eventuality of delayed recurring grants.

(ii) Non-submission of documents mention at 8(i) shall amount to the ineligibility of the institutions to receive any further grants under this scheme.

(iii) Recurring grants not utilized within a year of its release shall be adjusted in the subsequent financial year to the tune of non-spent recurring grants of the preceding financial year.

12. *Transfer/Requisition of Balrath Bus:*—

The Director of Education reserves the right to transfer bus from one Institution to another, with prior approval of Government of Goa. Also, Director of Education reserves right to

depute the bus, alongwith the Driver & Cleaner, as and when the requisition is received from appropriate authority.

13. *Framing of guidelines.*— For better implementation of the scheme, Department of Education shall frame guidelines from time to time with prior approval of the Government.

14. *Interpretation & relaxation.*— (i) If any issue arises regarding interpretation of any clause, work, expression or entire scheme, the decision shall lie with the Government.

(ii) The Government may relax all or any of the clauses provided in the scheme for the reasons to be recorded.

15. *Redressal of grievances and disputes.*— Grievance, if any, arising out of implementation of the scheme shall be heard and decided by the Minister of Education and the decision of the Minister of Education shall be final and binding.

16. *Repeal & saving.*— Notification 1) No. DE/Acad/Bal Rath/2012-13/2642 dated 01-10-2012 and

Notification 2) No. DE/Accts/Bal Rath/2012-13/4822 dated 19-02-2013.

Notification 3) DE/Accts/Bal Rath/2023/470 dated 07-07-2023 are hereby repealed:

Provided that such repeal shall not affect anything done, any order issued, any action taken or any powers exercised before coming into force to this Notification and all sanctions, orders, declarations or other action taken before the commencement of this Notification shall continue to be operative and in force even after the commencement of this Notification, unless specifically cancelled or revoked by the authority who accorded such sanction or issued such order or took such action.

This issues with the concurrence of the Finance (Expenditure) Department.

By order and in the name of Governor of Goa.

Shailesh R. S. Zingde, Director & ex officio Joint Secretary (Education).

Porvorim, 29th January, 2024.

Department of Environment &
Climate Change

Notification

3-252-2014/ENVNT&CC/DIR/1544

Read: 1) Order No. S. O. 2264 (E) dated 22-7-2013.

2) Notification No. 1/24/2010/STE-DIR dated 29th August, 2013 published in Official Gazette, Series II No. 26 dated 26-09-2013.

3) Notification No. 1/24/2010/STE-DIR/224 dated 04-10-2016.

4) Order No. 3-252-2014/ENVNT&CC/DIR/254 dated 23-5-2023.

In exercise of the powers conferred under Para 21 of the Order No. S. O. 2264 (E) dated 22nd July, 2013 issued by the Ministry of Environment and Forests, Government of India and in supersession of Notification No. 3-252-2014/ENVNT&CC/DIR/254 dated 23-05-2023 and Notification No. 3-252-2014/ENVNT&CC/DIR/1161 dated 21-11-2023 revision in the scrutiny fees for the applications submitted to the Goa Coastal Zone Management Authority is fixed as given below:-

Sr. No.	Type of applications	Proposal for Revised Fees
1	2	3
1.	Permission for repair and renovation of existing house/structure	Rs. 25,000/-.
2.	Permission for reconstruction/restoration of existing house/structure	Rs. 35,000/-.
3.	Permission for construction of new house/structure	Rs. 60,000/-.
4.	Permission for erection of temporary structures i.e. shack/hut/cottage/tent	Rs. 700/- per sq. mtrs. for shack & Rs. 400/- per sq. mtrs. for hut/cottage/tent. (New Permission for 7 years).

1	2	3
5.	Permission for beach wedding/event/setup	Rs. 1,00,000/- per event for maximum period of 05 days and Rs. 10,000/- for every additional day there after for that event. (75% concession for Government Corporations/Autonomous bodies/Charitable Trust/School/Institution and Sports Events).
6.	Permission for new construction of hotel/resort	Rs. 1250/- per sq. mtrs. of (Built-Up Area).
7.	Permission for construction of new floating pontoon jetty/temporary wooden jetty	Rs. 1,25,000/-.
8.	Permission for construction of concrete jetty/permanent jetty/ship building yard/dock yard/construction of barge loading & unloading jetty	Rs. 2,50,000/-.
9.	Permission for new bund wall/retaining wall/compound wall/boundary wall.	Rs. 35,000/- . Rs. 75,000/- (Commercial use i.e. hotel/resort/beach resort/hotel villas).
10.	Permission for wire fencing/bio fencing/wire mesh fencing	Rs. 25,000/-.
11.	Permission for repair of existing jetty/platform/ship repair	Rs. 60,000/-.
12.	Permission for open air hall/lawn area	Rs. 5,00,000/- for 07 years (New Permission) or 30,000/- for per event a period of 5 days and 10,000/- for every additional day thereafter for that event.

This issues with the approval of the State Government vide U. O. No. 72/F dated 18-01-2024.

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

Johnson B. Fernandes, Director & ex officio Joint Secretary (Environment & Climate Change).

Panaji, 29th January, 2024.



Department of Law & Judiciary
Law (Establishment) Division

Notification

14-17-2022-LD (Estt.)/155

The Notification No. Rule/P. 0703/2019 dated 28-12-2023 which have been issued by the Registrar General, High Court of Judicature at Bombay, is hereby published for general information of the public.

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

Amir Y. Parab, Under Secretary, Law (Estt.).

Porvorim, 19th January, 2024.

**The High Court of Judicature
at Bombay**

Notification

No. Rule/P. 0703/2019.— In exercise of the powers conferred by sub-section (14) of section 11 of the Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996) and all other powers enabling it in this behalf, The Hon'ble the Chief Justice and the Hon'ble Judges of the Bombay High Court are pleased to make following amendments to the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018".

1. *Short title*.— These rules may be called the Bombay High Court (Fee Payable to Arbitrators) First Amendment Rules, 2023.

2. *Definition*.— Unless the context otherwise require 'Principal Rules' means 'The Bombay High Court (Fee Payable to Arbitrators) Rules, 2018.

3. Sub-rule (2) of the Rule 2 of the Principal Rules shall be substituted as:

(2) "Where the dispute includes both a claim and a counter-claim, for the purposes of computing the fees of Arbitral Tribunal, the 'Sum in dispute' shall be the sum in dispute in the claim and each counter-claim filed separately."

4. After the sub-rule (2) of the Rule 2 of the Principal Rules as substituted, sub-rules (3) and (4) be added as follows:

"(3) The Arbitral Tribunal will be entitled to charge fees separately for the claim and separately for each counter-claim filed.

(4) Further, when the Schedule is made applicable to an arbitration, the fees ceiling contained in the Schedule will apply separately to the claim and separately to each counter-claim filed."

High Court of Judicature)
at Bombay) R. N. JOSHI
) REGISTRAR
Dated: 28 December, 2023.) GENERAL



Department of Public Health

Notification

22/12/2018-I/PHD/131

In exercise of the powers conferred by section 49 read with sections 23, 24, 25 and 34 of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (Central Act No. 16 of 2017), the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement*.— (1) These rules may be called the Goa Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Rules, 2024.

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

2. *Definitions.*— (1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Human Immuno-deficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (Central Act No. 16 of 2017);

(b) “Form” means the form appended to these Rules;

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

(d) “Ombudsman” means an Ombudsman appointed or designated by the Government, as the case may be, under section 23 of the Act;

(2) Words and expressions used and not defined in these rules but defined in the Act, shall have the meaning respectively assigned to them in the Act.

(3) *Qualification and experience of an Ombudsman.*— (1) A person to be appointed as an Ombudsman under clause (a) of sub-section (1) of section 23 of the Act shall be,—

(a) a sitting or retired District and Session Judge; or

(b) a healthcare provider who is a physician with a minimum of ten years work experience in matters relating to public health; or

(c) a person with minimum ten year’s experience in Law and Legal Affairs Department of the Government, who has worked to the level of Joint Secretary.

(2) Officer to be designated as an Ombudsman under clause (b) of sub-section (1) of section 23 shall not be below the rank of Joint Secretary to the Government.

4. *Terms and conditions of service of Ombudsman.*— (1) The Ombudsman shall be paid such salary and allowances as admissible to the Joint Secretary to the Government.

(2) The Ombudsman shall be provided with office space and support staff by the Government.

(3) The Ombudsman shall hold office for a term of two years from the date on which he enters upon his office and shall not be eligible for reappointment:

Provided that no Ombudsman shall hold office as such after he has attained the age of sixty-five years.

(4) The Ombudsman may, by giving written notice of not less than three months to the Government, resign from his office.

(5) The Government may, by an order, remove an Ombudsman from the office, if he,—

(a) is, or at any time has been, adjudged an insolvent; or

(b) is, in the opinion of the Government, unfit to continue in office by reason of infirmity of mind or body; or

(c) has been convicted of an offence which, in the opinion of the Government, involves moral turpitude; or

(d) has acquired such financial or other interest which, is in the opinion of the Government, is likely to prejudicially affect his functions as an Ombudsman; or

(e) has so abused his position and his continuation in office will be detrimental to the public interest; or

(f) engages during his term of office in any paid employment outside the duties of his office:

Provided that an Ombudsman shall not be removed from his office without giving him a reasonable opportunity of being heard in the matter.

5. *Manner of inquiring into complaints by Ombudsman.*— (1) The Ombudsman shall act in an objective and independent manner when inquiring into complaints made against violation of any of the provisions of the Act.

(2) While inquiring into complaints under the Act, the Ombudsman shall not be strictly bound by any rules of evidence and may follow such procedure as he considers just and proper.

(3) The Ombudsman may, in the interests of justice, take the assistance of experts, including protected persons and persons vulnerable to HIV, and persons working in the fields of HIV and AIDS, public health or health delivery systems.

6. *Manner of maintaining records by Ombudsman.*— (1) The Ombudsman shall,—

(a) Immediately on receipt of a complaint, record it by assigning a sequential unique complaint number in a register maintained solely for that purpose in physical or computerized form;

(b) On receipt of the complaint, acknowledge it including by sending the unique complaint number by SMS or e-mail to the complainant where available;

(c) record the time of the complaint and the action taken on the complaint in the register; and

(d) maintain a record of complaints in a manner that ensures confidentiality of data.

(2) The Ombudsman shall adopt data protection measures in accordance with the guidelines referred in section 11 of the Act.

7. *Manner of making complaints to Ombudsman.*— (1) The Ombudsman shall not entertain any complaint if it is made after expiry of three months from the date of becoming aware of the alleged violation of the provision of the Act:

Provided that the Ombudsman may, for reasons to be recorded in writing, if he is satisfied that circumstances prevented the complainant from making the complaint within the stipulated period, entertain a complaint.

(2) The complaint to be made to the Ombudsman shall be in Form I hereto:

Provided that where a complaint cannot be made in writing the Ombudsman shall render all reasonable assistance to the complainant to reduce the complaint in writing.

(3) In case of medical emergency, the Ombudsman or his assistant may visit the

complainant at the location of the alleged violation or any other convenient place to enable written documentation of the complaint.

(4) The Ombudsman may receive complaints made in person or by post.

8. *Government to disseminate information on Ombudsman.*— (1) Within thirty days of the appointment of the Ombudsman, the Government shall disseminate information about the office of the Ombudsman, including the Ombudsman's jurisdiction, role, functioning and procedure, and the manner in which complaint can be made to the Ombudsman.

(2) Such dissemination shall be undertaken to advance the understanding, in particular, of protected persons, healthcare workers, legal aid service authorities and civil authorities.

9. *Manner of recording pseudonym in legal proceeding.*— (1) In any legal proceeding where a court, pursuant to section 34 (1) (a) of the Act directs, on an application made by a protected person or any other person, that in the interests of justice the proceeding or any part thereof be conducted by suppressing the identity of such protected person, the Registrar of the court shall direct all parties involved to,—

(a) file one copy of the document bearing the full name, identity and identifying details of the parties concerned before the court, which shall be kept in a sealed cover and in safe custody with the Registrar; and

(b) serve one copy of documents bearing the full name, identity and identifying details of the parties concerned upon other parties in the proceeding with a requirement to ensure that the full name and identity of the parties concerned are kept confidential.

(2) The Registrar shall provide pseudonym to protected person involved in the legal proceeding in the documents filed before the court so that the identity and identifying details of the protected person involved in the legal proceeding are kept confidential.

(3) The Registrar shall place the sealed covered documents before the court on the first date the legal proceeding is listed for hearing before the court, if so required by the court.

(4) The identity of the protected person involved in the legal proceeding and his identifying details shall be displayed in pseudonym in all documentation generated by the court in relation to the legal proceeding, including listing of the case on the court Board, interim order and final order.

(5) The identity and identifying details of the protected person involved in the legal proceeding shall not be revealed by any person or their representatives including assistants and staff:

Provided that where in the interest of justice, the name and identity of the protected person needs to be revealed to a third party, it shall be revealed with the permission of the court.

(6) Printing or publishing any matter in relation to the legal proceedings in electronic or any other form, shall be lawful only if the same is done by ensuring the suppression of identities of the parties in the legal proceeding.

(7) In any legal proceeding the court shall strictly comply with the guidelines in respect of the data protection measures in accordance with section 11 of the Act.

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

Gautami Parmekar, Under Secretary (Health-II).

Porvorim, 24th January, 2024.

FORM I

[(See rule 7 (2))]

Form for making Complaint to Ombudsman

1. Date of Incident _____
2. Place of Incident _____
3. Description of Incident _____
4. Person/Institution responsible for the Incident _____

*Signature/Thumb Impression of Complainant**

Name:

Date:

Mobile No./email/Fax/Address:

For Official Use only:

Unique Complaint Number:

**Where the complaint is received telephonically and reduced to writing by the Ombudsman, the Ombudsman shall sign the Form.*

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