

Panaji, 30th January, 2003 (Magha 10, 1924)

SERIES I No. 44

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

Note: There are three Extraordinary issues to the Official Gazette Series I No. 43 dated 23-1-2003 as follows:

- (1) Extraordinary dated 23-1-2003 from pages 981 to 1146 regarding Notification from Department of Law & Judiciary (Legal Affairs Division).
- (2) Extraordinary (No. 2) dated 24-1-2003 from pages 1147 to 1148 regarding Notifications from Department of Civil Supplies and Consumer Affairs and Department of Public Health.
- (3) Extraordinary (No. 3) dated 29-1-2003 from pages 1149 to 1156 regarding Notifications from Department of Finance (Rev. & Exp. Division) and Department of Transport.

### GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Education

#### Notification

25/5/5/82/Adm.I/Vol.II/3572

Notification No. 2/5/95-PER dated 2-1-2003 received from Department of Personnel, Secretariat, Panaji is transcribed below for information and necessary action.

V. P. Bodnekar, Director (Administration).

Panaji, 22nd January, 2003.

Department of Personnel

#### Notification

2/5/95-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the Governor of Goa hereby makes the following rules, namely:—

1. *Short title, commencement and application.*— (1) These rules may be called the Goa

State Civil Service (Grant of leave to seek employment in India or abroad) Rules, 2002.

(2) They shall come into force at once.

(3) They shall apply to all Group 'A', Group 'B', Group 'C' and Group 'D' employees of the Government of Goa.

2. *Leave to seek employment.*— A Government employee shall be entitled to apply for leave without pay and allowances for taking up employment in India or abroad to the extent of two years, subject to the following conditions, namely:—

(a) All applications for the grant of extraordinary leave shall be submitted to the Government for approval through the Administrative Secretary/Secretary of the Department for endorsing or otherwise the recommendation of the Department;

Heads of Departments shall issue orders sanctioning leave only with the prior approval of the Government;

(b) Initially, extraordinary leave may be sanctioned for a period of two years. However, the same can be extended for a further period of two years at a time, so that the total maximum period of extraordinary leave shall not exceed six years;

(c) Request for extension of extraordinary leave should reach the Department at least 3 months in advance in order to enable it to take necessary decision and communicate it to the employee before expiry of extraordinary leave already granted;

(d) The employee shall be informed in clear-cut terms at the beginning itself that grant of any extension will be subject to the Government's decision. This condition shall be incorporated in the order sanctioning leave;

(e) The Department shall proceed against the employee if he fails to resume duty on expiry of the leave granted or after the rejection of his application for extension is communicated to him/her. This condition shall also be incorporated in every order sanctioning leave;

(f) Government will be very selective in granting leave without pay and allowances to employees belonging to professional categories, like highly qualified doctors, engineers, scientists, etc. for taking up employment in India or abroad. In scarce categories like Veterinary Surgeons, Livestock Assistants and any other category where there is shortage of personnel, officers will not be allowed to take up such employment unless they resign their jobs under the Government before hand;

(g) No officer going for employment under these rules will be treated as on deputation. An officer taking up employment in India or abroad on his own accord will have to go on leave without allowances to avail himself of the facility;

(h) No other kind of leave will be sanctioned in combination with or in continuation of the leave under these rules;

(i) Permanent officers and non-permanent officers who have completed probation in their entry cadre in the regular service of the Government may be granted leave without allowances under these rules. In such cases, for and during the currency of the period of leave, the officers shall lose all service benefits such as the earning of leave including half pay leave, pension, gratuity, increment, etc. and also promotion chances as may arise with reference to their seniority in the posts from which they proceeded on leave. They shall also lose seniority in the higher grade/grades with reference to their juniors who might get promoted to such grade/grades before they rejoin duty;

(j) In the case of non-permanent officers in regular service who have not completed probation in the entry grade, leave without allowances may be granted subject to the condition that they will have to start afresh and complete their probation on return from the leave without allowances. In other words, the officers will forfeit the service benefits that had accrued to them prior to their proceedings on leave and they will be deemed as new entrants to Government service on return from leave. What is protected is only their right to rejoin Government service in the same entry grade as if they were new entrants;

(k) Those who are under bonded obligation to serve the Government for a prescribed period will not be granted leave under these rules till the period covered by the bond is over, unless they settle the bonded obligations before the grant of leave. The amount remitted on that account will not be refunded under any circumstances. Similarly, officers against whom disciplinary action or vigilance enquiry is pending will not be eligible for leave under these rules;

(l) Those who had availed themselves of any loans such as House Building Advance, Conveyance Advance, etc. shall clear the dues before the grant of leave.

(m) Those officers who absent themselves unauthorisedly without getting the leave sanctioned under these rules shall be proceeded against and his service terminated after following the procedure laid down in the Central Civil Services (Classification, Control and Appeal), Rules, 1965. Requests for re-entry in Government service in such cases as well as in cases covered by condition(e) above, will be summarily rejected;

(n) These rules shall apply to all cases of grant of leave without allowances on or after their coming into force;

(o) Any permanent employee, who has not completed 20 years in service shall be eligible for grant of Extraordinary Leave, on request, under these Rules. Promotions, if any, made against the posts shall only be on ad hoc basis;

(p) Any vacancy created shall be filled up only on a temporary/contract basis. All such persons who have been appointed on temporary/contract basis and whose registration in Employment Exchange continues will be eligible for age relaxation for 5 years upto 45 years of age. No new registration with Employment Exchange would be allowed in all such cases;

(q) No relaxation of any of the above conditions will be allowed.

(3) *Repeal and savings.*— (1) The Goa State Civil Service (Grant of leave to seek employment in India or aboard) Rules, 1999 (hereinafter called the "said Rules"), notified vide Government Notification of even number dated 31-1-2000, are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken including any order made, direction given on notice issued under the said Rules, shall, in so far as it is not inconsistent

with the provisions of these rules, be deemed to have been done, taken, made, given or issued, as the case may be, within the corresponding provisions of these rules.

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

Sd/- (Vikas Mardolkar), Under Secretary (Personnel).

Panaji, 2nd January, 2003.

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Department of Information

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**Amendment**

DI/INF/FF. REG-97(2)/2002

Clause No. 15 (General) of Goa State Film Festival Regulation-1997 published in Official Gazette at Series I No. 47 on February 20, 1997 read as:

15. General: The producer of a Feature Film which wins an award under any of the categories referred to at item 1 to 9 of Schedule I will be granted such additional sum of Rs. 20,000/- (Rupees twenty thousand only) for getting the film sub-titled in any other Indian or Foreign language. The bills pertaining to the same shall be furnished to the Directorate within three months, after the Awards are announced.

Rajesh Singh, Director/OSD (Information & Publicity).

Panaji, 8th January, 2003.

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Department of Personnel

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**Notification**

1/7/79-PER (Pt. III)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in supersession of the existing Recruitment Rules for the relevant posts, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'A' Gazetted post in the Directorate of Archives and Archaeology, under the Government of Goa, namely:—

1. *Short title, application and commencement.*—  
(1) These rules may be called the Government of Goa, Directorate of Archives and Archaeology, Group 'A', Gazetted post, Recruitment Rules, 2003.

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

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

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

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

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

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

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

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

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

7. This is issued with the approval of Goa Public Service Commission vide their letter No.COM/II/13/4(1)/02 dated 12-12-2002.

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

D. M. Borkar, Joint Secretary (Personnel).

Panaji, 18th January, 2003.

Name/ /Designation of posts	Number of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972.	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment, whether by direct or by promotion or by deputation/transfer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ deputation/transfer, grades from which promotion/ deputation/transfer is to be made	If a D. P. C exists, what is its composition	Circumstances in which Goa Public Service Commission is to be consulted in making recruitment.	
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13	
Director of Archives and Archaeology.	One (2003) (Subject to variation dependent on workload).	Goa General Service Group 'A' Gazetted.	Rs. 12000-375-16500.	Selection. exceeding 40 years (Relaxable for Government servants upto 5 years in accordance with the orders or instructions issued by the Government).	Not exceeding 40 years (Relaxable for Government servants upto 5 years in accordance with the orders or instructions issued by the Government).	No.	<p><i>Essential:</i></p> <p>(i) At least Second class Master's degree in History/Archaeology/Ancient India History and Epigraphy/Political Science with English Medium or English as a subject at degree level from recognised University or equivalent.</p> <p>(ii) Training in Archives-keeping from the National Archives of India.</p> <p>(iii) 5 years experience in a supervisory capacity in either Archives or Archaeological Administration in an Institution of repute.</p> <p>(iv) Knowledge of Portuguese language.</p> <p>(v) Knowledge of Konkani.</p> <p><i>Note:</i> (1) Candidates who do not possess knowledge of Portuguese language will also be considered, but if selected they</p>	No.	Two years.	By promotion failing which by transfer on deputation and failing both by direct recruitment.	<p><i>Promotion:</i></p> <p>(i) Archivist (General),</p> <p>(ii) Archivist (Management),</p> <p>(iii) Archivist (Publication),</p> <p>(iv) Assistant Superintendent Archaeologist with 8 years regular service in the respective grade.</p> <p><i>Transfer on deputation:</i> Office under the Central/State Government/Union Territories.</p> <p>(a) (i) holding analogous posts.</p> <p>or</p> <p>(ii) with 5 years regular service in the scale of Rs. 8000-13000 or equivalent, or</p> <p>(iii) with 8 years regular service in the posts in</p>	Group 'A' D.P.C consisting of :-	<p>1) Chairman/Member, GPSC — Chairman.</p> <p>2) Chief Secretary or his nominee — Member</p> <p>3) Administrative Secretary/Head of Department — Member.</p> <p>(for promotion and confirmation).</p>	As required under the Goa Public Service Commission (Exemption from Consultation) Regulations, 1988. Consultation with the Goa Public Service Commission is necessary for promotion, confirmation, selection of an officer on deputation and for amending/relaxing any of the provisions of these rules.

1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13	
							<p>will be required to pass departmental examination in Portuguese before confirmation.</p> <p>Note: (2) Qualifications are relaxable at the discretion of Goa Public Service Commission in case of candidates belonging to the Scheduled Caste and Scheduled Tribe if at any stage of the selection, the Goa Public Service Commission is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p> <p><i>Desirable:</i></p> <p>(i) Knowledge of Marathi.</p> <p>(ii) Knowledge of Modi Script.</p> <p>(iii) Knowledge of Indian Paleography and Epigraphy.</p> <p>(iv) Experience in the archaeological explorations/excavations and in conservation/restoration of sites, monuments and other cultural property.</p> <p>(v) Experience in research/editing of records or in archaeological fields, with published research work.</p>					<p>the scale of Rs. 6500-10500 or equivalent, and</p> <p>(b) possessing educational qualifications and experience laid down for direct recruitment in Column 7.</p> <p>(Period of deputation shall ordinarily not exceed 3 years).</p>		

## Department of Revenue

## Notification

26/1/2000-RD(3785)

The following draft rules which are proposed to be made under the Goa Land Revenue Code, 1968 (Act 9 of 1969), are hereby pre-published as required by sub-section (3) of section 199 of the said Code for the information of the persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft-rules may be forwarded to the Under Secretary to the Government of Goa, Revenue Department, Secretariat, Panaji, before the expiry of fifteen days from the date of publication of this Notification in the Official Gazette.

## DRAFT RULES

In exercise of the powers conferred by sub-sections (1) and (2) of section 199 read with section 65-A of the Goa Land Revenue Code, 1968 (Act No. 9 of 1969), and all other powers enabling it in this behalf, the Government of Goa, hereby makes the following rules, namely:-

1. *Short title and commencement.*— (1) These rules may be called the Goa Land Revenue (manner of conducting resurvey for the purpose of up-dating survey maps) Rules, 2003.

(2) They shall come into force at once.

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

(a) "Code" means the Goa Land Revenue Code, 1968 (Act 9 of 1969);

(b) "Director" means the Director of Settlement and Land Records;

(c) "Inspector" means the Inspector of Surveys and Land Records;

(d) "map" means the Cadastral Survey Plans prepared under the Code and rules framed thereunder;

(e) "Up-dating" means adding or deleting topographical and cadastral features on the maps.

Words and expressions used in these rules, but not defined shall have the same meaning as assigned to them in the Code.

3. *Record of Measurement.*— The method of surveying and the features to be surveyed like boundary-marks, roads, buildings, electrical lines, poles, telephone lines, water pipe lines, drainages, railways, canals, bridges, etc., shall be as directed by the Director. Record of measurements and area calculations shall be preserved permanently in such form as directed by the Director.

4. *Re-survey operation and up-dating of maps.*— (1) Before starting re-survey operations, the Director shall issue a general public notice, fifteen days in advance, indicating the place for re-survey and date and time for conducting such re-survey. Such a notice shall be displayed on the notice board of Village Panchayat/ /Municipality/Taluka Offices and shall also be published in the newspapers printed in Marathi, English and Konkani languages. Such a notice shall also direct all interested landholders to be present at the time of re-survey operations and assist such operation.

(2) Upon completion of re-survey operation, required changes shall be effected in the maps in distinct colours or as specified by the Director and such draft maps shall be kept open for general inspection of the public for a period of thirty days at prominent places as may be decided by the Director.

(3) Any person aggrieved by the proposed changes shown on the draft map, may, within a period of thirty days after expiry of the period allowed for inspection of draft-maps in sub rule (2) above, file objection before the Inspector of Surveys and Land Records in whose jurisdiction the land is located, on a plain paper giving full address. Applications received shall be entered in a register maintained for the purpose, village-wise/city-wise, and acknowledgement thereof quoting serial number of the register shall be given to the applicant.

(4) If no objections are received in respect of changes effected in the maps within the stipulated time, they shall be confirmed.

(5) Objections relating to any change in record of measurements, area calculation or any error in depiction of the plan shall be disposed off by the Inspector of Surveys and Land Records within a period of 90 days from receipt and the maps shall be corrected accordingly.

(6) Any person aggrieved by the order of the Inspector of Surveys and Land Records may prefer an appeal to the Superintendent of Surveys and Land Records.

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

C. D. Gawade, Under Secretary (Revenue).

Panaji, 13th January, 2003.



Department of Science & Technology

**Notification**

LS/MISC/1915/96/Part I/1131

Read: Directions No. LS/MISC/1915/96/Part I/589 dated 31-7-2002.

In exercise of the powers conferred by section 5 of the Environment (Protection) Act, 1986 (Central Act 29 of 1986), read with Government Notification No. S. O. 881(E) dated 22-9-1988, issued by the Government of India, Ministry of Environment and Forests (Department of Environment, Forests and Wild Life) and published in the Gazette of India, Extraordinary, Part II, section 3(ii) dated 22-9-1988, the Government of Goa hereby amends the Government's Directions No. LS/MISC/1915/96/Part I/589 dated 31st July, 2002, published in the Official Gazette, Series I No. 21, dated 22nd August, 2002 (hereinafter called as the "said Directions"), as follows:—

In the said Directions,—

(1) for clause 2, the following shall be substituted, namely:—

"2. The Director of Tourism, Department of Tourism, Panaji, the Chief Officer, Panaji Mu-

nicipal Council, Panaji and the Chief Conservator of Forests, Forest Department, Panaji, are hereby directed to prohibit the carrying, use and sale of non-biodegradable PET bottles and plastic carry bags in the following localities.

(a) Miramar beach stretching from Goa Marriott Resort (Panaji) to Aivao village (Caranzalem);

(b) Dona Paula jetty area on the Western side of the NCC (Naval) Training Centre;

(c) The roads connecting the National Institute of Oceanography Circle to the Raj Bhavan and to the Gaspar Dias Circle (Miramar);

(d) Tourism jetty, near Mandovi bridge, Patto, Panaji;

(e) All gardens and parks in the city of Panaji."

(2) In clause 4, the expression "and in case of any violation, to take immediate action against the violators, under section 188 of the Indian Penal Code" shall be omitted.

(3) After clause 4, the following clause shall be inserted, namely:—

"5. The Chief Conservator of Forests, the Director of Tourism, the Chief Officer (Panaji Municipal Council), the Officers-in-charge of Panaji/Old Goa Police Stations, the Secretary of the Village Panchayat of Old Goa, the concerned Sub-Divisional Officers and the respective officials authorised by the said authorities shall impose a fine to the maximum extent of rupees fifty on any person violating the prohibition as aforesaid."

This Notification shall come into force with immediate effect.

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

Dr. N. P. S. Varde, Director/Joint Secretary (STE).

Panaji, 10th January, 2003.