

Panaji, 7th February, 2008 (Magha 18, 1929)

SERIES I No. 45

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note: There is one Extraordinary issue to the Official Gazette, Series I No. 44 dated 31-1-2008 namely, Extraordinary dated 7-2-2008 from pages 1723 to 1736 regarding Notification from Department of Revenue.

GOVERNMENT OF GOA

Department of Home

Goa Rehabilitation Board

Notification

GRB/27/07-08/600

The following Scheme framed by the Board under sub-section (4) of Section 29 of the Goa Rehabilitation Board Act, 2006 (Act 9 of 2006) (hereinafter called as the "said Act") with previous approval of the Government was published as required by Section 32 of the said Act, for the information of all persons likely to be affected thereby. Notice was given that the said draft scheme will be taken into consideration by the Government on the expiry of two weeks from the date of publication of this Notice in the Official Gazette.

No objections and or suggestions to the said draft Scheme was forwarded to the Goa Rehabilitation Board, Patto, Panaji-Goa before expiry of said period of two weeks from the date of publication of this Notice in the Official Gazette. Therefore the said Goa Rehabilitation Board Scheme, 2007 is hereby notified in terms of Section 35 of the Goa Rehabilitation Act, 2006.

The boundaries of the area comprised in the said Scheme, a map of the said area and details of the land are available at the office of the Goa Rehabilitation Board, Patto, Panaji-Goa.

"Scheme"

In pursuance of sub-section (4) of Section 29 of the Goa Rehabilitation Board Act, 2006 (Goa Act

9 of 2006), the Goa Rehabilitation Board, with the previous approval of the Government hereby frames the following scheme, namely:—

1. *Short title and commencement.*— (1) This Schemes may be called the Goa Rehabilitation Scheme, 2007.

(2) It shall come into force at once.

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

(a) "Act" means the Goa Rehabilitation Board Act, 2006 (Goa Act 9 of 2006);

(b) "Allotment" means allotment of shelter from the stock of shelters by the board, by a letter of grant, to the displaced person;

(c) "Board" means the Goa Rehabilitation Board established under section 3 of the Act;

(d) "displaced person" means a person who lost his house in the land slide that occurred on 14th June, 1999, at Tariwada in ward No. 3 of Mormugao Municipal Council and who is in need of a shelter;

(e) "Order of grant" means the Order issued permitting occupation and use of a shelter on terms and conditions as mentioned thereof;

(f) "Shelter" means a residential unit constructed or got constructed by the Board in the property bearing Chalta No. 2 (part) of P. T. Sheet No. 52, situated at Sada, Vasco da Gama, Mormugao-Goa;

Words and expression used but not defined in this Scheme shall have the same meaning as assigned to them in the Act.

3. *Preparation of list of displaced person.*— (1) The Deputy Collector, Mormugao, having jurisdiction over the area where the land slide has occurred shall prepare a list of displaced persons within 30 days from the receipt of such request from the Board.

(2) The Deputy Collector thereafter shall cause the said list to be published in three local news papers in Konkani, Marathi and English languages and allow a period of 7 days to the displaced persons to verify the said list and submit any representation thereof.

(3) The Deputy Collector shall then finalize the said list and forward the same to the Board; the Board may either accept as final the list as submitted by the Deputy Collector or modify the list after giving an opportunity of being heard to any displaced person.

4. *Allotment of shelters.*— (1) The Board shall by means of a lot allocate the shelter available in its stock to the displaced persons going by the serial order in the list.

(2) The Member Secretary of the Board shall thereafter intimate the displaced person the intention of the Board to allot the shelter and shall call upon the said displaced person to state whether he is ready and willing to accept the said shelter upon terms and conditions laid down by the Board.

(3) In case the displaced person conveys his acceptance thereof to the Member Secretary, he shall, with the concurrence of the Board issue an order of grant to the affected person if the displaced person does not accept the initial offer made by the Board or fails to take possession of shelter after issuing order of grant on the appointed date, the displaced person shall lose his right to be rehabilitated under this Scheme or any other Scheme framed by the Board.

(4) The Board, while considering the grant of shelter to the displaced person shall take into consideration their economic condition hardships caused to them, in society, and other aspects.

(5) The cost of the shelter alongwith all other amenities shall be calculated and the same shall be taken into consideration while fixing any rents required to be paid by the displaced person in the manner laid down in the C PWD code for leases to economically weaker section of the society.

(6) The Board may, in exceptional circumstances, exempt any particular displaced person

from paying rent whose head of the family is a widow or getting assistance under the Dayanand Social Security, Scheme, and/or would be so entitled under any Central or State Government Scheme, provided that the appropriate Government in relation to that scheme makes a matching contribution to the Board.

(7) The displaced person upon acceptance and taking possession of the shelter shall observe and follow all the terms and conditions incorporated in the Order of grant and for any breach of such terms or conditions the Board shall take such action against the displaced person as it deems fit.

Dasharath M. Redkar, for and on behalf of the Goa Rehabilitation Board.

Panaji, 21st January, 2008. V. No. 52334/2008.



Department of Labour

Human Resource Development Foundation

Order

3/4/1999-HRDF/215

In exercise of powers conferred by Rule 20 of Human Resource Development Foundation Goa, Rules & Regulations. The following amendment to Rule 10(1)(b), Rule 10(3)(b), Rule 10(6) are hereby made with prior sanction of the Government of Goa.

(A) The Amendment to Rules & Regulations of HRDF Society may be read as follows:—

(i) *Amendment to Rule 10(1)(b).*— The words in the said Rule 10(1)(b) may be amended by deleting the existing words and by insertion of the words, “The Governing Committee of the Society shall be as notified from time to time with the approval of the Government of Goa.”

(ii) *Amendment to Rule 10 (3)(b).*— The words in the said Rule as “1 year” may be deleted and amended by inserting the words as “2 years”.

(iii) *Amendment to Rule 10 (6).*— The word “every month” in the said Rule may be deleted and amended by inserting the words as “3 months”.

This order has the approval of the Government and shall come into force immediately.

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

Aleixo da Costa, State Director of Craftsmen Training & ex officio Joint Secretary.

Panaji, 17th January, 2008.

Department of Law & Judiciary

Legal Affairs Division

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Notification

10/2/2007-LA/239

The National Tax Tribunal (Amendment) Act, 2007 (Central Act No. 18 of 2007), which has been passed by the Parliament and assented to by the President of India on 03-4-2007 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 4-4-2007, is hereby published for general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 13th November, 2007.

THE NATIONAL TAX TRIBUNAL
(AMENDMENT) ACT, 2007

AN

ACT

to amend the National Tax Tribunal Act, 2005.

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

1. *Short title and commencement.*— (1) This Act may be called the National Tax Tribunal (Amendment) Act, 2007.

(2) It shall be deemed to have come into force on the 29th day of January, 2007.

2. *Amendment of section 5.*— In section 5 of the National Tax Tribunal Act, 2005 (hereinafter referred to as the ^{49 of 2005} principal Act), in sub-section (5),—

(i) the words “in consultation with the Chairperson” shall be omitted;

(ii) the following proviso shall be inserted, namely:—

“Provided that no Member shall be transferred without the concurrence of the Chairperson.”.

3. *Amendment of section 6.*— In section 6 of the principal Act, in sub-section (2), in clause (b), for the words “seven years”, the words “five years” shall be substituted.

4. *Amendment of section 13.*— In section 13 of the principal Act, in sub-section (1), the words “or any person duly authorised by him or it” shall be omitted.

5. *Repeal and saving.*— (1) The National Tax Tribunal (Amendment) Ordinance, 2007 is hereby repealed.

Ord. 3
of 2007.

(2) Notwithstanding the repeal of the National Tax Tribunal (Amendment) Ordinance, 2007, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have done or taken under the corresponding provisions of the principal Act, as amended by this Act.

Ord. 3
of 2007.

Notification

10/2/2007-LA/248

The Securities Contracts (Regulation) Amendment Act, 2007 (Central Act No. 27 of 2007), which has been passed by Parliament and assented to by the President of India on 28-5-2007 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 29-5-2007, is hereby published for general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 13th November, 2007.

THE SECURITIES CONTRACTS
(REGULATION) AMENDMENT
ACT, 2007

AN

ACT

further to amend the Securities Contracts (Regulation) Act, 1956.

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

1. *Short title.*— This Act may be called Securities Contracts (Regulation) Amendment Act, 2007.

2. *Amendment of section 2.*— In section 2 of the Securities Contracts (Regulation) Act, 1956 (hereinafter ^{42 of 1956} referred to as the principal Act), in clause (h), after sub-clause (id), the following sub-clause shall be inserted, namely:—

“(ie) any certificate instrument (by whatever name called), issued to an investor by any issuer being a special purpose distinct entity which possesses any debt or receivable, including mortgage debt, assigned to such entity, and acknowledging beneficial interest of such investor in such debt or receivable including mortgage debt, as the case may be;”.

3. *Insertion of new section 17A.*— After section 17 of the principal Act, the following section shall be inserted, namely:—

“17A. *Public issue and listing of securities referred to in sub-clause (ie) of clause (h) of section 2.*— (1) Without prejudice to the provisions contained in this Act or any other law for the time being in force, no securities of the nature referred to in sub-clause (ie) of clause (h) of section 2 shall be offered to the public or listed on any recognised stock exchange unless the issuer fulfils such eligibility criteria and complies with such other requirements as may be specified by regulations made by the securities and Exchange Board of India.

(2) Every issuer referred to in sub-clause (ie) of clause (h) of section 2 intending to offer the certificates or instruments referred therein to the public shall make an application, before issuing the offer document to the public, to one or more recognised stock exchanges for permission for such certificates or instruments to be listed on the stock exchange or each such stock exchange.

(3) Where the permission applied for under sub-section (2), for listing has not been granted or refused by the recognised stock exchanges or any of them, the issuer shall forthwith repay all moneys, if any, received from applicants in pursuance of the offer document, and if any such money is not repaid within eight days after the issuer becomes liable to repay it, the issuer and every director or trustee thereof, as the case may be, who is in default shall, on and from the expiry of the eighth day, be jointly and severally liable to repay that money with interest at the rate of fifteen per cent. per annum.

Explanation.— In reckoning the eighth day after another day, any intervening day which is a public holiday under the Negotiable Instruments Act,

1881, shall be disregarded, and if the 26 of 1881. eighth day (as so reckoned) is itself such a public holiday, there shall for the said purposes be substituted the first day thereafter which is not a holiday.

(4) All the provisions of this Act relating to listing of securities of a public company on a recognised stock exchange shall, *mutatis mutandis*, apply to the listing of the securities of the nature referred to in sub-clause (ie) of clause (h) of section 2 by the issuer, being a special purpose distinct entity.

4. *Amendment of section 23.*— In section 23 of the principal Act, in sub-section (1), in clause (c), for the word and figures “section 17”, the words, figures and letter “section 17 or section 17A” shall be substituted.

5. *Amendment of section 31.*— In section 31 of the principal Act, in sub-section (2), the following sub-section shall be substituted, namely:—

“(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the manner, in which at least fifty-one per cent. of equity share capital of a recognised stock exchange is held within twelve months from the date of publication of the order under sub-section (7) of section 4B by the public other than the shareholders having trading rights under sub-section (8) of that section;

(b) the eligibility criteria and other requirements under section 17A.”.

Notification

10/2/2007-LA/255

The Appropriation (Railways) No. 3 Act, 2007 (Central Act No. 34 of 2007), which has been passed by Parliament and assented to by the President of India on 7-9-2007 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 7-9-2007, is hereby published for general information of the public.

Julio B. Noronha, Under Secretary (Law).
Porvorim, 13th November, 2007.

THE APPROPRIATION (RAILWAYS) No. 3 ACT, 2007

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2007-08 for the purposes of Railways.

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

1. *Short title.*— This Act may be called the Appropriation (Railways) No. 3 Act, 2007.

2. *Issue of Rs. 270,00,50,000 out of the Consolidated Fund of India for the financial year 2007-08.*— From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of two hundred seventy crore and fifty thousand rupees towards defraying the several charges which will come in course of payment during the financial year 2007-08, in respect of the services relating to Railways specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

| 1 No. of Vote | 2 Services and purposes | 3 Sums not exceeding | | |
|------------------------|--|-------------------------|-------------------------------------|---------------|
| | | Voted by Parliament | Charged on the Consolidated Fund | Total |
| | | Rs. | Rs. | Rs. |
| 16 | Assets—Acquisition, Construction and Replacement | | | |
| | <i>Other Expenditure</i> | | | |
| | Capital | 270,00,10,000 | ... | 270,00,10,000 |
| | Railway Funds | 30,000 | ... | 30,000 |
| | Railway Safety Fund | 10,000 | ... | 10,000 |
| | TOTAL | 270,00,50,000 | ... | 270,00,50,000 |

Notification

10/2/2007-LA/235

The Appropriation (Railways) Act, 2007 (Central Act No. 13 of 2007), which has been passed by Parliament and assented to by the President of India on 22-3-2007 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 23-3-2007, is hereby published for general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 13th November, 2007.

THE APPROPRIATION (RAILWAYS) ACT, 2007

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2006-07 for the purposes of Railways.

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

1. *Short title.*— This Act may be called the Appropriation (Railways) Act, 2007.

2. *Issue of Rs. 7596,49,65,000 out of the Consolidated Fund of India for the financial year 2006-07.*— From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of seven thousand five hundred ninety-six crores, forty-nine lakhs and sixty-five thousands rupees towards defraying the several charges which will come in course of payment during the financial year 2006-07, in respect of the services relating to Railways specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

| 1 No. of Vote | 2 Services and purposes | 3 Sums not exceeding | | |
|------------------------|--|-------------------------------|--|-----------------------|
| | | Voted by Parliament Rs. | Charged on the Consolidated Fund Rs. | Total Rs. |
| 1 | Railway Board | 230,00,000 | ... | 230,00,000 |
| 2 | Miscellaneous Expenditure (General) | 10,50,00,000 | ... | 10,50,00,000 |
| 3 | General Superintendence and Services on Railways | ... | 4,94,000 | 4,94,000 |
| 4 | Repairs and Maintenance of Permanent Way and Works... | ... | 1,82,29,000 | 1,82,29,000 |
| 5 | Repairs and Maintenance of Motive Power | ... | 19,19,000 | 19,19,000 |
| 6 | Repairs and Maintenance of Carriages and Wagons | 32,79,05,000 | 10,15,000 | 32,89,20,000 |
| 8 | Operating Expenses—Rolling Stock and Equipment | ... | 5,33,000 | 5,33,000 |
| 9 | Operating Expenses—Traffic | ... | 58,59,000 | 58,59,000 |
| 10 | Operating Expenses—Fuel | 451,97,24,000 | 1,80,00,000 | 453,77,24,000 |
| 12 | Miscellaneous Working Expenses | ... | 43,70,000 | 43,70,000 |
| 13 | Provident Fund, Pension and other Retirement Benefits | ... | 4,41,000 | 4,41,000 |
| 14 | Appropriation to Funds | 3954,58,65,000 | ... | 3954,58,65,000 |
| 15 | Divident to General Revenues, Repayment of loans taken from General Revenues and Amortization of Over-Capitalisation | 371,53,00,000 | ... | 371,53,00,000 |
| 16 | Assets — Acquisition, Construction and Replacement Revenue | 5,00,00,000 | ... | 5,00,00,000 |
| | <i>Other Expenditure</i> | | | |
| | Capital | 1741,91,12,000 | 7,93,17,000 | 1749,84,29,000 |
| | Railway Funds | 1008,55,92,000 | 4,25,18,000 | 1012,81,10,000 |
| | Railway Safety Fund | ... | 7,72,000 | 7,72,000 |
| | TOTAL | 7579,14,98,000 | 17,34,67,000 | 7596,49,65,000 |

Notification

10/2/2007-LA/241

The Appropriation (Railways) No. 2 Act, 2007 (Central Act No. 20 of 2007), which has been passed by Parliament and assented to by the President of India on 10-5-2007 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 11-5-2007, is hereby published for general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 13th November, 2007.

THE APPROPRIATION (RAILWAYS) No. 2 ACT, 2007

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2007-08 for the purposes of Railways.

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

1. *Short title.*— This Act may be called the Appropriation (Railways) No. 2 Act, 2007.

2. *Issue of Rs. 130798,10,77,000 out of the Consolidated Fund of India for the financial year 2007-08.*— From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the Appropriation (Railways) Vote on Account Act, 2007] to the sum of one lakh thirty thousand seven hundred ninety-eight crores, ten lakhs and seventy-seven thousand rupees towards defraying the several charges which will come in course of payment during the financial year 2007-08, in respect of the services relating to Railways 12 of 2007. specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

| 1 No. of Vote | 2 Services and purposes | 3 Sums not exceeding | | |
|------------------------|--|-------------------------|-------------------------------------|-----------------|
| | | Voted by Parliament | Charged on the Consolidated Fund | Total |
| | | Rs. | Rs. | Rs. |
| 1 | Railway Board | 95,44,40,000 | ... | 95,44,40,000 |
| 2 | Miscellaneous Expenditure (General) | 390,76,60,000 | ... | 390,76,60,000 |
| 3 | General Superintendence and Services on Railways | 2502,08,48,000 | 78,000 | 2502,09,26,000 |
| 4 | Repairs and Maintenance of Permanent Way and Works... | 4494,18,11,000 | 88,10,000 | 4495,06,21,000 |
| 5 | Repairs and Maintenance of Motive Power | 2414,84,67,000 | 25,000 | 2414,84,92,000 |
| 6 | Repairs and Maintenance of Carriages and Wagons | 4904,24,26,000 | 5,00,000 | 4904,29,26,000 |
| 7 | Repairs and Maintenance of Plant and Equipment..... | 2516,71,07,000 | 2,39,000 | 2516,73,46,000 |
| 8 | Operating Expenses—Rolling Stock and Equipment | 3479,21,57,000 | 2,05,000 | 3479,23,62,000 |
| 9 | Operating Expenses—Traffic | 6962,20,00,000 | 39,78,000 | 6962,59,78,000 |
| 10 | Operating Expenses—Fuel | 12289,21,37,000 | 2,50,00,000 | 12291,71,37,000 |
| 11 | Staff Welfare and Amentities | 1929,97,94,000 | 20,00,000 | 1930,17,94,000 |

| 1 | 2 | 3 | | |
|--------------------------|--|-------------------------|---------------------|-------------------------|
| | | Rs. | Rs. | |
| 12 | Miscellaneous Working Expenses | 2011,40,18,000 | 45,75,46,000 | 2057,15,64,000 |
| 13 | Provident Fund, Pension and Other Retirement Benefits | 8228,66,60,000 | 69,48,000 | 8229,36,08,000 |
| 14 | Appropriation to Funds | 25637,92,46,000 | ... | 25637,92,46,000 |
| 15 | Dividend to General Revenues, Repayment of loans taken from General Revenues and Amortization of Over-Capitalisation | 4572,54,00,000 | ... | 4572,54,00,000 |
| 16 | Assets — Acquisition, Construction and Replacement Revenue | 60,00,00,000 | ... | 60,00,00,000 |
| <i>Other Expenditure</i> | | | | |
| | Capital | 27121,68,77,000 | 10,98,00,000 | 27132,66,77,000 |
| | Railway Funds | 18137,35,00,000 | 6,95,00,000 | 18144,30,00,000 |
| | Railway Safety Fund | 1050,62,00,000 | 7,00,000 | 1050,69,00,000 |
| | Special Railway Safety Fund | 1930,50,00,000 | ... | 1930,50,00,000 |
| | TOTAL | 130729,57,48,000 | 68,53,29,000 | 130798,10,77,000 |

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Department of Personnel

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Notification

2/5/95-PER

Read:— Notification No. 2/5/95-PER dated 2-1-2003, published in the Official Gazette, Series I No. 44, dated 30-1-2003.

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Goa hereby makes the following rules so as to amend the Goa State Civil Service (Grant of leave to seek employment in India or abroad) Rules, 2002, as follows:—

1. *Short title and commencement.*— (1) These rules may be called the Goa State Civil Service (Grant of leave to seek employment in India or abroad) (First Amendment) Rules, 2007.

(2) They shall come into force at once.

2. *Amendment of rule 1.*— In rule 1 of the Goa State Civil Service (Grant of leave to seek employment in India or abroad) Rules, 2002, in sub-rule (3), for the expression “Government of Goa”, the expression “Government of Goa, except the employees of Goa Judiciary” shall be substituted.

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

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 21st January, 2008.