NOTIFICATION

In exercise of the powers conferred by section 2 and 8 of the Poisons Acts, 1919 (Central Act 12 of 1919), the Government of Goa hereby makes the following rules, namely:

1. SHORT TITLE AND COMMENCEMENT.-
   (1) These rules may be called the Goa Poisons Possession and Sale Rules, 2014.
   (2) They shall come into force from the date of their publication in the Official Gazette.

2. DEFINITIONS.- In these rules, unless the context otherwise requires,-
   (a) "Act" means the Poisons Act, 1919 (Central Act 12 of 1919);
   (b) "dealer" means a person holding license under these rules;
   (c) "License" means license issued under these rules;
   (d) "Licensing authority" means the District Magistrate or any other officer authorized by the Government to grant a license;
   (e) "Licensee" means a holder of a license under these rules;
   (f) "notification" means a notification published in the Official Gazette;
   (g) "Form" means a form appended to these rules;
   (h) "Schedule" means the Schedule appended to these rules;
   (i) "Sale" means any sale by a dealer to another dealer or by a dealer to any educational institution or to any research or medical institution or hospital or dispensary under a qualified medical practitioner (Registered Medical Practitioner) or any recognized public institution or industrial firm requiring poisons for its own use or to Government Departments or Public Sector Undertakings or to an individual for personal use.

3. The poisons specified in the Schedule shall be deemed to be poisons for the purposes of these rules.

4. LICENSE FOR POSSESSION OR SALE OF POISONS.- No person, not exempted under the provisions of the Act, shall sell or possess for sale any poison specified in the Schedule except under a license in Form I granted or renewed in that behalf by the licensing authority.
5. **EXHIBITION OF RULES ON THE PREMISES.** - A copy of these rules shall always be displayed in prominent position at the place of Business specified in the license granted under rule 4.

6. **APPLICATION FOR GRANT OR RENEWAL OF LICENSE.** (1) Every person desiring for the grant of license or renewal of a license shall make a written application to the licensing authority in Form II and such application shall bear a court fee stamp of ten rupees:

Provided that any application for renewal of a license which is made less than three months prior to the date of the expiry of the license shall bear a court fee stamp of five hundred rupees.

(2) On receipt of an application under sub-rule (1), the licensing Authority may, grant or refuse to grant the license or grant a license subject to modifications as respect the Poisons and quantity of poisons applied for.

(3) Application for duplicate license, when the original is lost or destroyed shall be made in writing and shall bear a court fee stamp of five hundred rupees.

(4) In the case of any change in the place of business of the licensee, a fresh application for license shall be made to the licensing authority and such application shall bear a court-fee stamp of hundred rupees.

(5) The licensee shall prominently display the license in the place of business.

7. **DURATION OF LICENSE.** - Subject to the provisions of rules 8 and 9, of these rules, a license granted or renewed under these rules shall remain in force for five years from the date of issue.

8. **DISCRETION OF LICENSING AUTHORITY.** - A license may be cancelled or revoked at any time by the licensing authority. The grant/renewal/cancellation/revocation of a license shall be in the discretion of the licensing authority whose decision shall be final:

Provided that the licensing authority shall give an opportunity to the licensee concerned to show cause, if any, against the action proposed to be taken and shall record in writing the reasons for refusing to grant or renew a license or for cancelling or revoking a license.

9. **TERMINATION OF LICENSE.** - A license shall terminate on the death of the licensee or on the transfer of his business, or if granted to a firm or company, on the winding up or the transfer of the business of such firm or company:

Provided that, if the business carried on by the licensee as such of the firm or company is transferred as a going concern and the transferee applies for a
fresh license, with court fee stamp of hundred rupees, within fourteen days of
the date of transfer, the subsisting license shall continue to be in force until a
new license has been granted or the application for fresh license is rejected by
the licensing authority.

10. DISPOSAL OF STOCK ON TERMINATION, REVOCATION OR
CANCELLATION OF LICENSE.- In the event of revocation or cancellation of the
license under rule 8 or in the event of the termination of license under rule 9,
the stock of poison may be sold to any other licensee within a period of three
months from the date of such termination, revocation or cancellation of the
license, after which the remaining poison may be destroyed under the orders of
the licensing authority. In the case referred to in rule 9, the proceeds of the
sale, if any, shall be made over to the legal representative of the deceased
licensee or his transferee or, liquidator of the dissolved firm or company or the
transferee of the firm or company, as the case may be.

11. POWER TO INSPECT POISONS AND REGISTERS.- Any Executive
Magistrate or a Police officer of the rank of Sub-Inspector and above or a
Medical Officer appointed by the Government or an Inspector appointed under
section 21 of the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940) may,
at any time, visit and inspect the premises of the licensee where a poison is
kept for sale and may inspect all poisons found therein and the registers.

12. LICENSE TO WHOM GRANTED.- (1) A license shall be granted only to a
person who in the opinion of the licensing authority is competent to conduct
business in poisons.

(2) The license issued to a firm shall always be in the name of the partner of
the firm and in case of the company to a responsible person to be nominated
by such company for the purpose, or in the case of a public company, in the
name of its manager.

(3) The name or names so given may be altered or amended by the licensing
authority on a written application from the firm or company and such
application shall bear a court fee stamp of hundred rupees.

13. SALE OF POISON.- Every sale of poisons, shall, as far as practicable, be
made by the licensee in person or where the licensee is a firm or a company,
through or under supervision of, an accredited representative of such firm of
company.

14. PERSONS TO WHOM POISONS MAY BE SOLD.- A licensee shall not sell
any poison to any person, unless the latter is personally known to him, or
identified to his satisfaction by producing a photo identity card which bears his
address or substantiate it with a document giving his address. He shall also ascertain before selling any poison the name, telephone and address of the purchaser and the purpose for which the poison is purchased. He shall not sell any poison to any person who appears to him to be under the age of eighteen years, or to any person who does not appear to him to be in full possession of his faculties.

15. REGISTER OF SALES OF POISONS.- (1) Every licensee shall maintain a register, in which he shall enter correctly all sales of poison other than those used by a registered Chemist, Druggist or Pharmacist dispensing or compounding, in compliance with the prescription of a qualified medical or veterinary practitioner.

The following details shall be entered in such register in respect of such sale, namely:-
(a) Serial No; (b) Name of poison; (c) Quantity sold; (d) Date of sale; (e) Name and address of the purchaser, serial number of the photo-identity card produced and the name of the issuing authority (f) Purposes for which the poison was required, as stated by the purchaser; (g) Signature of purchaser (or thumb impression, if illiterate or in the case of purchase by post, date on which the letter was written and reference to the original in the file in which it is preserved); (h) Signature of a person identifying the purchaser if any (or thumb impression, if illiterate); and (i) Signature of Dealer/Licensee.
(2) In a separate portion of the register he shall enter, in separate columns for each poison, the quantity of each poison sold daily, and those entries shall be filled up from day to day.
(3) The signature in the register specified under sub-rule (1) of rule 15 shall be that of the licensee himself, or, when the licensee is a firm or company, that of an accredited representative of such firm or company and shall be written at the time of sale or dispatch to the purchaser. Such signature shall be held to imply that the signatory had satisfied himself that the requirements of rule 14 have been fulfilled.
(4) All letters and other written documents including registers shall be preserved in original by the licensee for a period not less than two years from the date of the sale of poisons.

16. STOCK -REGISTER OF POISONS.- (1) A Licensee shall maintain in respect of each poison, a stock register which shall contain the following details, namely:-
(a) Serial No.; (b) Date; (c) quantity received; (d) name and address of person from whom received; (e) quantity sold; (f) balance in stock; and (g) remarks.
(2) Poison issued from stock to the dispensary on any day for retail sale and for dispensing of prescription shall be entered as one item in the issue side of the register with a note to that effect.

(3) The daily balance of stock should be entered in the register.

17. CUSTODY OF POISONS KEPT FOR SALE AND LABELLING OF RECEPTACLES IN WHICH THEY ARE KEPT.- All poisons kept for sale under these rules by any licensee shall be kept securely in a box, almirah, room or building (according to the quantity maintained) which shall be secured by lock and key and in which no substance shall be placed other than poisons possessed in accordance with a license granted under the Act and these rules and each poison shall be kept securely within such box, almirah, room or building in a separate closed receptacle of glass, metal or earthenware. Every such box, almirah, room or building and every such receptacle shall be marked with the word “POISON” in red letters, both in English and in the local language and in the case of receptacles containing separate poisons, with name of such poison.

18. POISONS SOLD TO BE SECURELY PACKED AND LABELLED.- When any poison is sold, it shall be securely packed in a closed receptacle or container (according to the quantity); and every such receptacle or packet shall be marked with the word “Poison” in red characters in English and in local language and the name of the poison and the name and address of the licensee.

19. Penalty.- Whoever commits a breach of the provisions of these Rules or of the conditions of the license shall be liable for a penalty as specified in section 6 of the Act.

By Order and in the name of the Governor of Goa

[Signature]

(Neetal P. Amonkar)
Under Secretary (Home)

To,
The Director, Printing & Stationery, Government Printing Press, Panaji with a request to publish this notification in the Extra ordinary Government Gazette and furnish 5 copies thereof to this Department and two copies to the Law Department (Legal Affairs), for record.

Copy to:-
1. The Director General of Police, Panaji for information & necessary action.
2. The Under Secretary, Office of the Chief Minister, Secretariat, Porvorim.
3. The District Magistrate, North Goa, Panaji Goa.
4. The District Magistrate, South Goa, Margao Goa.
5. The Director, Directorate of Food & Drugs Administration, Bambolim Goa.
6. O/C.
SCHEDULE
[See Rule 3 and 4]
List of Poisons

(1) Acetic acid
(2) Sulphuric acid (H2SO4) (beyond 5% concentration by weight)
(3) Hydrochloric acid (HCl) (beyond 5% concentration by weight)
(4) Phosphoric acid (H3PO4)
(5) Hydrofluoric acid (HF)
(6) Perchloric acid (HClO4)
(7) Formic Acid
(8) Hydrocyanic acid except substances containing less than 0.1 per cent weight in weight of Hydrocyanic acid.
(9) Hydrochloric acid, except substances containing less than 5 per cent weight in weight of Hydrochloric Acid
(10) Nitric acid, except substances containing less than 2 per cent weight in weight of Nitric Acid.
(11) Oxalic Acid
(12) Perchloride of mercury (corrosive sublimate)
(13) Potassium Hydroxide except substances containing less than 2 per cent weight in weight of Potassium Hydroxide
(14) Sodium Hydroxide except substances containing less than 2 per cent weight in weight of sodium Hydroxide.
FORM I  
(See rule 4)  
License for possession and sale of Poisons

Register No.:  
Name of Licensee:  
Locality of shop:
Shri/Smt. __________ son of Shri __________ carrying on  
business as ___ in the _______ (Name of Local Body) under  
________ Police Station, of __________ District, is hereby licensed to possess  
for sale by retail and to sell by retail the following poisons, namely:-
1. ____________
2. ____________
3. ____________
4. ____________
5. ____________

This license is subject to the following conditions, the breach of any of which  
shall involve cancellation of the license and the licensee shall be liable to a  
penalty as specified in section 6 of the Poisons Act, 1919.

This license will remain in force from the date of grant for a period of five years  
unless previously terminated by the death of the licensee or cancelled by the  
Licensing authority concerned.

CONDITIONS

(1) This license shall remain in force for a period of five years from the date  
of issue.
(2) The license shall terminate on the death of the licensee-holder or on the  
transfer of his business or if granted to a Firm or company, on the  
winding up or the transfer of the business of such firm or company.
(3) The Licensing Authority may for any sufficient cause revoke or cancel  
any license.
(4) Every sale of a poison shall, so far as possible, be conducted by the  
License-holder in person or where the license-holder is a Firm or a  
Company, through or under the supervision of an accredited  
representative of such firm or company.
(5) A license-holder shall not sell any poison to any person unless the later  
personnelly known to him or identified to this satisfaction by producing  
photo-identity card. He shall not sell any poison to any person who  
appears to him to be under the age of 18 or to any person who does not  
appear to him to be in full possession of his faculties.
(6) (i) Every license-holder shall maintain a register in which he shall enter  
all sales of poison other than those used by a chemist and druggist for
dispensing or compounding in compliance with the prescription of a medical or veterinary practitioner. The following particulars shall be entered in such register in respect of each sale, namely:

(a) Serial No.
(b) Date of sale
(c) Name, telephone number and address of the purchaser
(d) Name of the poison
(e) Quantity sold
(f) Purpose for which the poison was stated by the purchaser to be required.

(g) Signature of purchaser or thumb impression if illiterate or in case of purchase by post, date of letter or written documents and reference to the originals in the file in which they are preserved.

(h) Signature of dealer/license-holder.

(ii) In a separate portion of the register shall be entered, in separate column for each poison, the quantity of each such poison sold daily and these entries shall be filed in from day to day.

(iii) The signature under column (h) of the register shall be that of the License-holder himself or when the license-holder is a Firm or company that of an accredited representative of such Firm or company and shall be entered at the time of sale or dispatch to the purchaser. Such signature shall be held to imply that the writer has satisfied himself that the requirements of rule 14 of the Goa Poisons Possession and Sale Rules, 2014, have been fulfilled.

(iv) All letters or written documents orders referred in column (g) of the register shall be preserved in original by the license-holder for a period of not less than two years from the date of the sale.

(7)(i) A license-holder shall maintain in respect of each poison a stock register, which shall contain the following particulars:-

(a) Serial No.
(b) Date
(c) Amount received, name and address of person from whom received
(d) Name and address of person from whom received
(e) Amount sold
(f) Balance in stock

(g) Remarks.

(ii) The stock register shall be balanced daily.

(8) All poisons kept for sale by any license-holder (except those kept by a chemist and druggist for the purpose of dispensing or compounding in
compliance with the prescription of a medical or veterinary practitioner) shall be kept in a box, almirah, room or building (according to the quantity maintained) which shall be secured by lock and key and in which no substance shall be placed other than poisons possessed in accordance with a license granted under the Act and each poison shall be kept within such box, almirah, room or building in a separate closed receptacle of glass, plastic, metal, or earthen-ware. Every such box, almirah, room or building and every such receptacle shall be marked with the word “Poison” in red characters in English and local language and in the case of receptacles containing separate poisons with the name of such poisons.

(9) (a) When any poison is sold, it shall be securely packed in closed receptacle or packet (according to the quantity) and every such receptacle or packet shall be labelled by the vendor with a label bearing the name of the poison in English and local language and the number and date of the entry in the register of sales shall be specified.

(10). The license shall be held subject to the conditions mentioned above and any other conditions as specified by the Government and to the provisions of the Act and rules framed thereunder.

Seal and Signature of Licensing Authority
NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 357 A of the code of Criminal Procedure, 1973 (Central) Act 2 of 1974, the Government of Goa in co-ordination with the Central Government hereby frames the following scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation, namely :-

1. **Short title and commencement** - (1) This Scheme may be called the Goa Victim Compensation Scheme, 2012.
   (2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. **Definitions** - (1) In this Scheme, unless the context otherwise requires,-
   (a) "Act" means the Code of Criminal Procedure, 1973 (Central Act 2 of 1974);
   (b) "District Legal Services Authority" means the District Legal Services Authority constituted under section 9 of the Legal Services Authorities Act, 1987 (Central Act 39 of 1987) for a district of the State of Goa;
   (c) "Form" means a form appended to this Scheme;
   (d) "Fund" means the Victim Compensation Fund constituted under clause 3 of this Scheme;
   (e) "Government" means the Government of Goa;
   (f) "Offence" means any of the offences mentioned in the Indian Penal Code, (45 of 1860) or in any other law for the time being in force;
   (g) "Official Gazette" means the official Gazette of the Government;
(h) "Schedule" means Schedule appended to this Scheme;

(i) "State" means the State of Goa;

(j) "State Legal Services Authority" means Legal Services Authority constituted under section 6 of the Legal Services Authorities Act, 1987 (Central Act 39 of 1987), for the State of Goa;

(k) "Victim" means a person who has suffered loss or injury as a result of the crime and who requires rehabilitation.

(2) Words and expressions used in this Scheme and not defined, shall have the same meaning as assigned to them in the Act.

3. VICTIM COMPENSATION FUND :- 
(1) The Government shall constitute a fund called Victim Compensation Fund. There shall be credited into the said fund an amount allocated for the same by budgetary provision every year.

(2) Compensation from the said fund under this Scheme shall be paid to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.

(3) The said Fund shall be operated by the Secretary of the Legal Services Authority for the State of Goa.

4. ELIGIBILITY FOR COMPENSATION :- Where the offender is not traced or identified, but the victim is identified, and where no trial takes place, the victim or his dependents may make an application to the State or the District Legal Services Authority for award of compensation if:-

(1) he has not been compensated for the loss or injury under any other Scheme of the Central or State Government, insurance company or any other institution;

(2) the loss or injury sustained by the victim has caused substantial loss of income to his family making it difficult to meet their both ends without any compensation.

5. PROCEDURE FOR MAKING APPLICATION BEFORE THE STATE OR DISTRICT LEGAL SERVICES AUTHORITY :- An application for the award of compensation shall be submitted in form "I" hereto alongwith a copy of the First Information Report (FIR)/complaint, medical report, death
certificate. complaint made to the Court. (in case where the police have not registered the FIR) newspaper report if any. to the State or District Legal Services Authority.

6. RELIEFS THAT MAY BE AWARDED BY THE STATE OR DISTRICT LEGAL SERVICES AUTHORITY: The State or District Legal Services Authority may award compensation to the victim or his dependent to the extent as specified in schedule hereto.

7. REJECTION OF THE APPLICATION: The State or District Legal Services Authority may reject an application where it is of the considered opinion that,

1. the applicant has failed to take all reasonable steps to inform the police or other body or person considered by the State or District Legal Services Authority to be appropriate for the purpose about the circumstances giving rise to the loss or injury; or

2. the applicant failed to co-operate with the police or the Court to bring the accused to justice; or

3. the applicant has failed to give all reasonable assistance to the State or District Legal Services Authority for deciding the application; or

4. the applicant has previously filed an application, in respect of the loss or injury suffered as a result of the same crime under this scheme, for compensation and such application is already granted or rejected or pending adjudication.

5. the applicant, after having filed the complaint, wilfully turned hostile in the trial and has not supported the case of the prosecution;

6. the alleged crime prima-facie is collusive in nature and not based up on verifiable facts.

7. any other reason deemed fit by State or District Legal Service Authority.

8. PROCEDURE FOR GRANT OF COMPENSATION: (1) Whenever a recommendation is made by the Court or an application is made by any victim or his dependent to State or District Legal Services Authority, the State or District Legal Service Authority shall examine and verify the claim made with regard to the loss or injury caused to the victim and arising out of the reported crime. It may call for any other relevant
information in order to determine genuineness of the claim. After verifying the claim and after due inquiry, the State or District Legal Services Authority shall award compensation within a period of two months from the date of such recommendation or application as the case may be, in accordance with provisions of this Scheme.

(2) The award of compensation under this Scheme shall be subject to the condition that if later on the trial court while passing the Judgment orders the accused person to pay any amount by way of compensation under sub-section (3) of section 357 of the Act, the victim shall refund the amount of compensation awarded under this Scheme, or the amount of compensation received in pursuance of the order passed under sub-section (3) of section 357 of the Act, whichever is less. An Undertaking in Form “II” hereto shall be obtained from the victim before the disbursement of the compensation amount under this scheme.

(3) The State or District Legal Service Authority shall decide the quantum of compensation to be awarded to the victim or to his dependants on the basis of the loss or injury caused to the victim as a result of the crime and his/her requirements of rehabilitation.

(4) The compensation awarded under this Scheme shall be disbursed to the victim or his dependants, as the case may be, from the Fund, by remitting the same into the bank account specified in the Application by the victim/dependents.

(5) In case where the victim or dependent is a minor, the amount of compensation shall be released to the guardian or whoever has filed the application on behalf of such minor after the State or District Legal Services Authority is satisfied about the proper utilization of funds in the best interest of and for the welfare of such minor.

(6) The compensation already received by the victim or his dependents from the Insurance Company or from the Government in relation to the crime in question, including ex-gratia and/or other payment received under any law or under Central or State run Scheme, shall be treated as the compensation awarded under this Scheme, and if the amount of compensation to be received under this Scheme exceeds the payment already received by the victim from the sources mentioned above, the balance amount shall be paid out of fund to the victim.
(7) The cases covered under the Motor Vehicles Act, 1988 (Central Act 59 of 1988) wherein the compensation is to be awarded by the Motor Accidents Claims Tribunal, shall not be covered under this Scheme.

(8) The State or the District Legal Service Authority, to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer in charge of the police station or a Magistrate of the area concerned, or any other interim relief as it may deem fit.

9. THE ORDER TO BE PLACED ON RECORD - Copy of the order of compensation passed under this Scheme shall be placed on record of the trial Court so as to enable the trial Court to pass an appropriate order of compensation under sub-section (3) of section 357 of the Act.

10. LIMITATION. - An application for compensation under sub-section (4) of section 357 A of the Act shall be made within one hundred and eighty days from the date of Commission of the Crime:

Provided that the State or District Legal Service Authority may entertain the application received after the expiry of said period of one hundred and eighty days if it is satisfied that the applicant was prevented by sufficient cause from filing the application in time.

11. APPEAL.- (1) Any victim or his dependent if aggrieved by the Order of the District Legal Services Authority may file an appeal before the State Legal Services Authority within a period of ninety days from the date of such Order:

Provided that the State Legal Services Authority may admit the appeal after the expiry of the period of ninety days if it is satisfied that the victim or his dependent was prevented by sufficient cause from filing the appeal in time.

(2) The decision or order of the State Legal Services Authority on all matters shall be final.

12. Accounts and Audit of the Fund: (1) The Secretary of the Legal Services Authority of the State of Goa shall maintain proper accounts and other
relevant records and prepare an annual statements of accounts including the income and expenditure account and the Balance sheet in respect of said Fund. These accounts shall be audited by an auditor appointed by the Government.

(2) An audited statement of Accounts shall be submitted by the Secretary of the Legal Services Authority of the State of Goa, to the Government, every year.

By order and in the name of the Governor of Goa

(Neeta P. Amonkar)
Under Secretary (Home)

Copy to: -
The Director, Printing & Stationary, Panaji with a request to kindly published the enclosed notifications in the Official Gazette at an early date. Five copies of the said Gazette may be forwarded to this Department for official use.

Copy to:-

1. The Secretary of the Legal Services Authority of the State of Goa, Secretariat Porvorim.
2. The Director General of Police, Panaji.
3. The Director of Prosecution, Panaji Goa.
5. Office file.
SCHEDULE

(See Clause 6)

(1) In case of death of the sole earning member of the family where children are minor and/or unemployed ........................................... Upto Rs. 200,000/-

(2) Loss of any limb or part of the body resulting
    80% or above disability including acid attack .... Upto Rs. 50,000/-

(3) Loss of any limb or part of the body
    resulting in 40% and below
    80% disability including acid attack ...................... Upto Rs. 25,000/-

(4) In case of death of non-earning member ........................................... Upto Rs. 25,000/-

(5) Loss of any limb or part of the body
    resulting below 40% disability including acid attack ... Upto Rs. 10,000/-

(6) In case of injury causing, severe mental agony to women and child .................. Upto Rs. 10,00,000/-
    (e.g. in human trafficking and rape cases. Acid cases)
Form "I"

Application for the award of compensation

(1) Name of the victim:

   Name of the Dependent:

(2) Age of the victim/Dependent:

(3) Name of the parents:
   (a) Father:
   (b) Mother:

(4) Address:

(5) Date and time of the incident:

(6) Name of the Applicant:

(7) Relationship with the Victim (Legal Heir or NGO):

(8) Whether FIR has been lodged? If 'Yes', enclose a copy of the FIR.
   If 'No' give reasons thereof.

(10) Whether a complaint has been filed in the Court?: If 'Yes',
     Enclose a copy of complaint.

(11) Whether medical examination has been done?: If 'Yes', enclose
     Medical report/death certificate.

(12) Details of Bank Account:

Date:  
Signature of Applicant:
NOTIFICATION

Read:- Government Notification No. 2/91/2010-HD(G) dated 17/12/2012 published in the Official Gazette, Series I No. 38, dated 20/12/2012.

In exercise of the powers conferred by sub-section (1) of section 357 A of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), as in force in the State of Goa, the Government of Goa hereby frames the following Scheme so as to amend the Goa Victim Compensation Scheme, 2012, namely:-

1. Short title and commencement.- (1) This Scheme may be called the Goa Victim Compensation (First Amendment) Scheme, 2015.

(2) It shall come into force from the date of its publication in the Official Gazette.

2. Amendment of clause 2.- In sub-clause (1) of clause 2 of the Goa Victim Compensation Scheme, 2012 (hereinafter referred to as the "principal Scheme"), items (b) and (j) shall be omitted.

3. Amendment of clause 3.- In sub-clause (3) of clause 3 of the principal Scheme, for the expression "Secretary of the Legal Services Authority for the State of Goa", the words "District Collector" shall be substituted.

4. Amendment of clause 4.- In clause 4 of the principal Scheme, for the expression "State or the District Legal Services Authority", the words "District Collector" shall be substituted.

5. Amendment of clause 5.- In clause 5 of the principal Scheme, for the expression "State or District Legal Services Authority", wherever, it occurs, the words "District Collector" shall be substituted.

6. Amendment of clause 6.- In clause 6 of the principal Scheme, for the expression "State or District Legal Services Authority", wherever, it occurs, the word "Government" shall be substituted.

7. Amendment of clause 7.- In clause 7 of the principal Scheme, for the expression "State or District Legal Services Authority", wherever, it occurs, the words "District Collector" shall be substituted.

8. Amendment of clause 8.- In clause 8 of the principal Scheme,

(i) for sub-clause (1), the following sub-clause shall be substituted, namely,-

"(1) Whenever a recommendation is made by the Court or an application is made by any victim or his dependent to District Collector, the District Collector shall, after holding enquiry, submit his findings to the Government for awarding adequate compensation by completing the enquiry within two months from the date of receipt of the application and the Government shall decide the quantum of compensation to be payable to the victim;",

(ii) in sub-clause (3), for the expression "State or District Legal Services Authority", the word "Government" shall be substituted;
(iii) in sub-clause (5), for the expression “State or District Legal Services Authority”, the words “District Collector” shall be substituted; and.

(iv) in sub-clause (8), for the expression “State or District Legal Services Authority”, the words “District Collector” shall be substituted;

9. Amendment of clause 10.- In clause 10 of the principal Scheme, for the expression “State or District Legal Services Authority”, the words “District Collector” shall be substituted.

10. Substitution of clause 11.- For clause 11 of the principal Scheme, the following clause shall be substituted, namely:

“11. Appeal.—(1) Any victim or his dependent if aggrieved by the Order of the District Collector, may file an appeal before the Government within a period of ninety days from the date of such order:

Provided that the Government may admit the appeal after the expiry of the period of ninety days if it is satisfied that the victim or his dependent was prevented by sufficient cause from filing the appeal in time.

(2) The decision or order of the Government on all the matters shall be final.”.

11. Amendment of clause 12.- In clause 12 of the principal Scheme, for the expression “Secretary of the Legal Services Authority of the State of Goa“, wherever it occurs, the words “District Collector” shall be substituted.

By Order and in the name of the Governor of Goa

[Neetal P. Amonkar]
Under Secretary (Home)

Copy to: -
The Director, Printing & Stationary, Panaji with a request to kindly publish the enclosed notifications in the Official Gazette at an early date. Five copies of the said Gazette may be forwarded to this Department for official use.

Copy to:-

1. The Secretary of the Legal Services Authority of the State of Goa, Secretariat Porvorim.
2. The District Collector (North), Panaji Goa
3. The District Collector (South), Margao Goa
4. The Director General of Police, Panaji.
5. The Director of Prosecution, Panaji Goa.
7. Office file.
NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 357 A of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), as in force in the State of Goa, the Government of Goa hereby frames the following Scheme so as to further amend the Goa Victim Compensation Scheme, 2012, namely:-

1. Short title and commencement. - (1) This Scheme may be called the Goa Victim Compensation (Second Amendment) Scheme, 2016.
   (2) It shall come into force from the date of its publication in the Official Gazette.

2. Insertion of Form "II".- After Form "I" to the Goa Victim Compensation Scheme, 2012, the following Form shall be inserted, namely:-

Form "II"

UNDERTAKING

I, the undersigned, Mr./Mrs./Kum.........................., son/wife/daughter of ....................., aged ....... years, resident of ................., do hereby undertake that if the Court, while passing the Judgment, orders the accused person to pay any amount by way of compensation under sub-section (3) of section 357 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) (herein after referred to as the “said Act”), I shall refund the amount of compensation received under the Goa Victim Compensation Scheme, 2012 or the amount of compensation received in pursuance of the order passed under sub-section (3) of section 357 of the said Act, whichever is less.

By Order and in the name of the Governor of Goa

(Neetal P. Amonkar)
Under Secretary (Home)

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4. The Director General of Police, Panaji.
5. The Director of Prosecution, Panaji Goa.
6. The District Legal Services Authority, South Goa Margao, District & Session Court Building, Near Old Market, Margao.
7. The Member Secretary, Goa State Legal Services Authority, Altinho, Panaji Goa.

Note: The Principal Scheme was notified vide Government Notification No. 2/91/2010-HD(G) dated 17/12/2012 and published in the Official Gazette, Series I No. 38, dated 20/12/2012 and subsequently amended vide Government notification No. 2/91/2010-HD(G)/545 dated 19/02/2015 published in the Official Gazette, Series I No. 48, dated 26/02/2015.
NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 357 A of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), as in force in the State of Goa, the Government of Goa hereby frames the following Scheme so as to further amend the Goa Victim Compensation Scheme, 2012, namely:-

1. Short title and commencement. – (1) This Scheme may be called the Goa Victim Compensation (Third Amendment) Scheme, 2019.

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

2. Amendment of Schedule. – In the Schedule appended to the Goa Victim Compensation Scheme, 2012 after item (6) the following item shall be inserted, namely :-

    "(7) In case of victim of lynching/Mob violence, -

    (i) resulting into death of sole earning member -------- Rs. 2,00,000/-
    (ii) resulting into death of any family member -------- Rs. 1,00,000/-
    (iii) resulting into disability of over 80% -------- Rs. 1,00,000/-
    (iv) resulting into disability of 40% to 80% -------- Rs. 50,000/-
    (v) resulting into injury of serious nature -------- Rs. 50,000/-."

By Order and in the name of the Governor of Goa

(Neetal P. Amonkar)
Under Secretary (Home)

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5) The Director of Prosecution, Panaji Goa.
6) Guard file.