

Panaji, 3rd March, 2016 (Phalguna 13, 1937)

SERIES I No. 49

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

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GOVERNMENT OF GOA

Department of Animal Husbandry &
Veterinary Services

Notification

7-7(47)/AH/2015-16/6529

Read:-Notification No. 7-7(47)/AH/2012-13/
/4040 dated 31-10-2012.

In supersession to the notification read above
the following Amended Scheme approved by

the Government is published for the general
information of the public.

**"REVISED SCHEME FOR INCENTIVES TO
MILK PRODUCERS"**

Introduction.— The Government of Goa has an ambitious plan to develop the Dairy sector and to make Goa self sufficient in milk production in the near future. Dairy has a major role to play since milk has become an essential item of diet and with the increase of human population there is an increasing need for milk and milk products. Milk is a nutritious food that

can also be converted into several Dairy products. Keeping this in view the Government has implemented a scheme wherein incentives are given based on milk produced so as to popularize Dairy Farming.

This scheme is now further revised to accommodate growing demand of the farmers.

Objectives.— (1) The scheme is prepared with the objective to encourage farmers to go in for Dairy business and make it more lucrative which will help to increase the local milk production.

(2) To encourage youth to take up Dairy as a Business.

(3) To make State self sufficient in milk production.

Eligibility.— (1) The scheme applies to farmers from Goa who are members of the Dairy Co-operative Societies/Bachat Gat/Self Help Group registered with the Department of Animal Husbandry & Veterinary Services”.

Note:- For the purpose of this scheme, “Bachat Gat” means a group of two or more farmers registered or not registered who have come together with the common intention for taking benefits under the scheme, with the intention for meeting objectives of the scheme, subject to their registration with Directorate of Animal Husbandry and Veterinary Services, Panaji-Goa.

(2) Dairy farmer has to register his Dairy Farm with the Department of Animal Husbandry & Veterinary Services through the respective Veterinary Dispensary/Hospital and give details of number of animals, state of lactation of each animal, milk yield, date of calving, address of cowshed where located etc.

(3) The incentives shall apply to the milk supplied by the members, to the Dairy Co-operative Society/Bachat Gat/Self Help Group, as notified for the scheme by the Government from time to time.

(4) Farmer should be a bonafide resident of Goa for at least preceding 5 years, own cattle shed with milch animals in the State of Goa, registered with Animal Husbandry and Veterinary Services and having membership with a Dairy Co-operative Society/Bachat Gat/Self Help Group in the State of Goa and produce his own milk. Milk should be produced at the beneficiary’s Dairy Farm and not by procuring milk from others then pouring to Dairy Co-operative Society/Bachat Gat/Self Help Group in his name.

(5) Any farmer intending to avail benefit under the scheme will have to produce evidence of his membership to a registered Dairy Co-operative Society/Bachat Gat/Self Help Group as may be required by the Department of Animal Husbandry & Veterinary Services.

Procedure.— (1) Composite subsidy @ 40% (incentive on milk @ 32.28% & cattle feed @ 7.72%) on the proceeds of milk supplied to the Dairy Co-operative Society/Bachat Gat/Self Help Group as notified by the Government from time to time and shall be paid on monthly basis.

(2) Every registered Dairy Co-operative Society/Bachat Gat/Self Help Group shall maintain a complete list of its members and allot a unique membership number to each farmer. The list shall be submitted to the Department of Animal Husbandry & Veterinary Services at the beginning of the scheme and any addition or deletion from the list of membership shall be reported to the Department forthwith.

(3) The beneficiary shall open a Bank account in any Bank having a core banking system/ Electronic Clearing System (ECS).

(4) The Dairy Co-operative Society/Bachat Gat/Self Help Group will submit to the area Veterinary Officer/Assistant Director in triplicate, a monthly consolidated report (Soft copy and hard copy), showing the total quantity of milk supplied by each farmer to the

Dairy Co-operative Society/Bachat Gat/Self Help Group, as notified for the scheme by the Government from time to time and the amount of payment received by him for the month along with the Bank account number with branch name and MICR code of the beneficiary having Core Banking System/Electronic Clearing System (ECS). All such reports must reach the area Veterinary Officer/Assistant Director duly signed by the Secretary and Chairman of the Dairy Co-operative Society/Bachat Gat/Self Help Group, verified and certified by Supervisor of the Dairy Co-operative Society/ /Bachat Gat/Self Help Group latest by 8th day of the month subsequent which it pertains.

(5) The Area Veterinary Officer/Assistant Director shall certify the statement received from the Dairy Co-operative Society/Bachat Gat/Self Help Group after verifying with registers maintained by them. And fortnightly bill payment statements issued by them.

(6) The local Area Veterinary Officer/ /Assistant Director shall forward the certified statement to the authorised agency for preparation of bill by 15th day of the month. The authorised agency shall submit the prepared bills to the local Area Veterinary Officer/Assistant Director by 22nd day of the month. On receipt of bill from the agency the local Area Veterinary Officer/Assistant Director shall verify & certify the same and forward it alongwith copy of the certified statement to the Directorate of Animal Husbandry & Veterinary Services by 25th day of the month for effecting payment. On receipt of certified bill from the Area Officer, payment of composite subsidy @ 40% (incentive on milk @ 32.28% & cattle feed @ 7.72%) shall be effected through the bank account of the beneficiary through ECS.

(7) The quantity of milk supplied to the Dairy Co-operative Society/Bachat Gat/Self Help Group & the number of milch animals reared by the farmers will be checked by the departmental area officer in addition to the supervisor/officials from concerned organization.

In case there is any fraud or malpractice in the above, the Department shall stop forthwith the composite subsidy (incentive on milk & feed) and the benefit of all the schemes will be withdrawn. In this matter the decision of the Director will be final and binding on the party.

(8) The scheme is linked to cattle feed subsidy scheme.

(9) It shall be mandatory to produce UID card for obtaining benefit under the scheme.

(10) The applicants should mandatorily registered with the Agricultural Department, as an Agriculturist under the Agricultural Database.

(11) This scheme shall come in force with immediate effect.

Supervising Authority.— (1) Officials of the Department may visit randomly any Dairy Co-operative Society/Bachat Gat/Self Help Group to assess/inspect the procedure of collection of milk record keeping. The Chairman/Secretary of the Dairy Co-operative Society/Bachat Gat/Self Help Group must Co-operate and produce the records on demand.

(2) Any of the terms and conditions above may be relaxed with prior approval of the Government.

Registration Form under Revised Scheme for Incentives to Milk Producers

- (1) Name of the farmer
- (2) Address (a) House No.
 (b) Village/Ward
 (c) Taluka
 (d) District
 (e) Constituency
 (f) Telephone No.
 Mobile No.

- (g) General/S.C./S.T.
- (3) Name of the farm:
- (4) Number of Milch animals (a) Buffalo
 (b) Cattle

(5) Average milk yield/per animal/day

(6) Name of the Dairy Co-operative Society/
/Bachat Gat/Self Help Group where milk is
poured:

Date:-

Signature of Farmer

FOR OFFICE USE ONLY

Remark of local Veterinary Officer/Assistant
Director.....

Date:-

Signature Designation

OFFICE SEAL

By order and in the name of the Governor
of Goa.Dr. *Santosh V. Desai*, Director & ex officio Jt.
Secretary (AH).

Panaji, 25th February, 2016.

Department of Elections

Office of the Collector & District Election
Officer**Addendum**

10-1-2016-16/CCP/ELN/DEO

Ref: (1) Notification No. 5-1-2015/DEO/BYE-
-ELN/ASSEMBLY dated 16-1-2015.(2) Addendum No. 5-1-2015/DEO/BYE-
-ELN/ASSEMBLY dated 21-1-2015.

Sub.: Rate Chart of material for campaigning.

At Serial No. 17 of the table contained in this office Notification referred to above, against the item "Electronic Media" in column 2 of the table, after the Sr. No. 5 RDXGOA the News Channel "GO TV" shall be added at Sr. No. 6 as mentioned below:—

Sr. No.	Item	Rate
6.	GO TV	
	1. Scrolling Ads	1500/- per day 20 spots of 30 sec.
	2. Slides Advertisement	2500/- per day 20 spots of 30 sec.

Swapnil M. Naik, IAS, Collector & DEO
North Goa District.

Panaji, 26th February, 2016.

Department of Handicrafts, Textile & Coir

Notification

3/2/2014/HT&C/28

Read: (1) Notification No. 3/2/2014/HT & C/
/57 dated 12-8-2014 published in
the Official Gazette, Serial I No. 24
dated 11-9-2014.

(2) Notification No. 3/2/2014/HT & C/
/64 dated 15-9-2014 published in
the Official Gazette, Serial I No. 25
dated 18-9-2014.

The Government of Goa is pleased to change the nomenclature of scheme viz. "Goa Integrated Skill Development Scheme 2014" notified vide Notification No. 3/2/2014/HT & C/57 dated 12-8-2014 published in the Official Gazette, Series I No. 24 dated 11-9-2014 to "Vishwakarma Kaushal Yojana".

By order and in the name of the Governor
of Goa.*Smita Hede*, Under Secretary (HT & C).

Porvorim, 24th February, 2016.

Department of Law & Judiciary

Legal Affairs Division

Notification

10/2/2015-LA/445

The Repealing and Amending (Second) Act, 2015 (Central Act No. 19 of 2015), which has been passed by Parliament and assented to by the President on 14-05-2015 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 14-05-2015, is hereby published for the general information of the public.

Julio Barbosa Noronha, Under Secretary (Law).

Porvorim, 22nd December, 2015.

THE REPEALING AND AMENDING
(SECOND) ACT, 2015

AN

ACT

to repeal certain enactments and to amend certain other enactments.

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

1. *Short title.*— This Act may be called the Repealing and Amending (Second) Act, 2015.

2. *Repeal of certain enactments.*— The enactments specified in the First Schedule

are hereby repealed to the extent mentioned in the fourth column thereof.

3. *Amendment of certain enactments.*— The enactments specified in the Second Schedule are hereby amended to the extent and the manner mentioned in the fourth column thereof.

4. *Savings.*— The repeal by this Act of any enactment shall not affect any Act in which such enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE

(See section 2)

REPEALS

Year	No.	Short title	Extent of repeal
1999	1	The Export-Import Bank of India (Amendment) Act, 1998	The whole.
1999	7	The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 1998	The whole.
1999	16	The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1999	The whole.

1	2	3	4
2000	1	The Recovery of Debts Due to Banks and Financial Institutions (Amendment) Act, 2000	The whole.
2000	7	The Small Industries Development Bank of India (Amendment) Act, 2000	The whole.
2000	12	The Food Corporations (Amendment) Act, 2000	The whole.
2000	15	The National Housing Bank (Amendment) Act, 2000	The whole.
2000	17	The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2000	The whole.
2000	18	The Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Amendment Act, 2000	The whole.
2000	22	The Major Port Trusts (Amendment) Act, 2000	The whole.
2000	23	The Insecticides (Amendment) Act, 2000	The whole.
2000	35	The Border Security Force (Amendment) Act, 2000	The whole.
2000	39	The State Financial Corporations (Amendment) Act, 2000	The whole.
2000	44	The Multimodal Transportation of Goods (Amendment) Act, 2000	The whole.
2000	55	The National Bank for Agriculture and Rural Development (Amendment) Act, 2000	The whole.
2001	10	The Chit Funds (Amendment) Act, 2001	The whole.
2001	23	The Warehousing Corporations (Amendment) Act, 2001	The whole.
2001	27	The Food Corporations (Amendment) Act, 2001	The Whole.
2001	38	The Government of Union Territories and the Government of National Capital Territory of Delhi (Amendment) Act, 2001	The whole.
2001	40	The Inland Waterways Authority of India (Amendment) Act, 2001	The whole.
2001	46	The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2001	The whole.
2001	54	The Explosive Substance (Amendment) Act, 2001	The whole.
2002	14	The Inter-State Water Disputes (Amendment) Act, 2002	The whole.
2002	29	The Salaries and Allowances of Officers of Parliament and Leaders of Opposition in Parliament (Amendment) Act, 2002	The whole.
2002	30	The Sugar Development Fund (Amendment) Act, 2002	The whole.
2002	31	The Salaries and Allowances of Officers of Parliament (Second Amendment) Act, 2002	The whole.
2002	34	The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2002	The whole.
2002	40	The General Insurance Business (Nationalisation) Amendment Act, 2002	The whole.
2002	42	The Insurance (Amendment) Act, 2002	The whole.
2002	51	The Homoeopathy Central Council (Amendment) Act, 2002	The whole.
2002	52	The Indian Medicine Central Council (Amendment) Act, 2002	The whole.
2002	55	The Negotiable Instruments (Amendment and Miscellaneous Provisions) Act, 2002	The whole.
2002	56	The Salaries and Allowances of Officers of Parliament and Leaders of Opposition in Parliament (Second Amendment) Act, 2002	The whole.
2002	62	The Consumer Protection (Amendment) Act, 2002	The whole.

1	2	3	4
2003	7	The High Court Judges (Salaries and Conditions of Service) Amendment Act, 2002	The whole.
2003	7	The High Court Judges (Salaries and Conditions of Service) Amendment Act, 2002	The whole.
2003	8	The Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2002	The whole.
2003	10	The Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002	The whole.
2003	11	The Companies (Second Amendment) Act, 2002	The whole.
2003	35	The Delhi High Court (Amendment) Act, 2003	The whole.
2003	37	The Essential Commodities (Amendment) Act, 2003	The whole.
2003	44	The Sixth Schedule to the Constitution (Amendment) Act, 2003	The whole.
2003	48	The National Bank for Agriculture and Rural Development (Amendment) Act, 2003	The whole.
2003	51	The Railways (Second Amendment) Act, 2003	The whole.
2003	58	The Indian Medicine Central Council (Amendment) Act, 2003	The whole.
2003	59	The Merchant Shipping (Amendment) Act, 2003	The whole.
2004	4	The Prevention of Terrorism (Amendment) Act, 2003	The whole.
2004	6	The Citizenship (Amendment) Act, 2003	The whole.
2004	9	The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2003	The whole.
2004	16	The Foreigners (Amendment) Act, 2004	The whole.
2004	24	The Banking Regulation (Amendment) and Miscellaneous Provisions Act, 2004	The whole.
2004	30	The Enforcement of Security Interest and Recovery of Debts Laws (Amendment) Act, 2004	The whole.
2005	19	The Government of Union Territories and the Government of National Capital Territory of Delhi (Amendment) Act, 2005	The whole.
2005	32	The Citizenship (Amendment) Act, 2005	The whole.
2005	40	The Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum (Amendment) Act, 2005	The whole.
2005	45	The Warehousing Corporations (Amendment) Act, 2005	The whole.
2005	46	The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2005	The whole.
2006	2	The Criminal Law (Amendment) Act, 2005	The whole.
2006	5	The Government of Union Territories and the Government of National Capital Territory of Delhi (Amendment) Act, 2006	The whole.
2006	6	The Contempt of Courts (Amendment) Act, 2006	The whole.
2006	26	The Reserve Bank of India (Amendment) Act, 2006	The whole.
2006	40	The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006	The whole.
2006	45	The Banking Companies (Acquisition and Transfer of Undertakings and Financial Institutions Laws (Amendment) Act, 2006	The whole.
2006	54	The Essential Commodities (Amendment) Act, 2006	Sections. 2 to 5.
2007	17	The Banking Regulation (Amendment) Act, 2007	The whole.

1	2	3	4
2007	18	The National Tax Tribunal (Amendment) Act, 2007	The whole.
2007	30	The State Bank of India (Subsidiary Banks Laws) Amendment Act, 2007	The whole.
2007	32	The State Bank of India (Amendment) Act, 2007	The whole.
2007	35	The Inland Vessels (Amendment) Act, 2007	The whole.
2007	40	The Merchant Shipping (Amendment) Act, 2007	The whole.
2008	4	The Sugar Development Fund (Amendment) Act, 2008	The whole.
2008	30	The Salaries and Allowances of Officers of Parliament (Amendment) Act, 2008	The whole.
2009	5	The Code of Criminal Procedure (Amendment) Act, 2008	The whole.
2009	11	The Supreme Court (Number of Judges) Amendment Act, 2008	The whole.
2009	20	The Agricultural and Processed Food Products Export Development Authority (Amendment) Act, 2009	The whole.
2009	23	The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2009	The whole.
2009	48	The State Bank of Saurashtra (Repeal) and the State Bank of India (Subsidiary Banks) Amendment Act, 2009	Sections 3 to 11.
2010	27	The State Bank of India (Amendment) Act, 2010	The whole.
2010	37	The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2010	The whole.
2010	41	The Code of Criminal Procedure (Amendment) Act, 2010	The whole.
2010	43	The Indian Medicine Central Council (Amendment) Act, 2010	The whole.
2011	7	The State Bank of India (Subsidiary Banks) Amendment Act, 2011	The whole.
2011	17	The State Bank of India (Subsidiary Banks Law) Amendment Act, 2011	The whole.
2012	5	The New Delhi Municipal Council (Amendment) Act, 2011	The whole.
2012	8	The Life Insurance Corporation (Amendment) Act, 2011	The whole.
2012	11	The Export-Import Bank of India (Amendment) Act, 2011	The whole.
2012	26	The North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012	The whole.
2012	36	The Chemical Weapons Convention (Amendment) Act, 2012	The whole.
2013	1	The Enforcement of Security Interest and Recovery of Debts Laws (Amendment) Act, 2012	The whole.
2013	4	The Banking Laws (Amendment) Act, 2012	The whole.
2013	27	The Wakf (Amendment) Act, 2013	The whole.

THE SECOND SCHEDULE

(See section 3)

AMENDMENTS

Year	No.	Short title	Amendments
2008	11	The Railways (Amendment) Act, 2008	In section 2,— (i) the words and figure “section 2 of” shall be omitted;

1	2	3	4
			(ii) after the brackets and words “(hereinafter referred to as the principalAct)”, insert the words and figure “in section 2”.
2008	22	The Indian Maritime University Act, 2008	In section 2, for the words “in all Statutes made hereunder”, substitute the words “in the Statutes made thereunder”.

Notification

10/2/2015-LA/422

The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Ordinance, 2015 (Ordinance No. 8 of 2015) which has been promulgated by the President in the Sixty-sixth Year of the Republic of India and published in the Gazette of India, Extraordinary, Part II, Section I, dated 23-10-2015, is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 15th December, 2015.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

*New Delhi, the 23rd October, 2015/
/Kartika 1, 1937 (Saka)*

The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Ordinance, 2015

No. 8 of 2015

Promulgated by the President in the Sixty-sixth Year of the Republic of India.

An Ordinance to provide for the constitution of Commercial Courts, Commercial Division and Commercial Appellate Division in the High Courts for adjudicating commercial disputes of specified value and for matters connected therewith or incidental thereto.

Whereas a Bill to provide for the Constitution of Commercial Courts, Commercial Division and Commercial Appellate Division in the High Courts for adjudicating commercial disputes of specified value was introduced in the Council of States and referred to the Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice for examination and report which is pending;

And whereas, Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

CHAPTER I

Preliminary

1. *Short title, extension and commencement.*—
(1) This Ordinance may be called the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Ordinance, 2015.

(2) It extends to the whole of India, except the State of Jammu and Kashmir.

(3) It shall come into force at once.

2. *Definitions.*— (1) In this Ordinance, unless the context otherwise requires,—

(a) “Commercial Appellate Division” means the Commercial Appellate Division in a High Court constituted under sub-section (1) of section 5;

(b) “Commercial Court” means the Commercial Court constituted under sub-section (1) of section 3;

(c) “commercial dispute” means a dispute arising out of—

(i) ordinary transactions of merchants, bankers, financiers and traders such as those relating to mercantile documents, including enforcement and interpretation of such documents;

(ii) export or import of merchandise or services;

(iii) issues relating to admiralty and maritime law;

(iv) transactions relating to aircraft, aircraft engines, aircraft equipment and helicopters, including sales, leasing and financing of the same;

(v) carriage of goods;

(vi) construction and infrastructure contracts, including tenders;

(vii) agreements relating to immovable property used exclusively in trade or commerce;

(viii) franchising agreements;

(ix) distribution and licensing agreements;

(x) management and consultancy agreements;

(xi) joint venture agreements;

(xii) shareholders agreements;

(xiii) subscription and investment agreements pertaining to the services industry including outsourcing services and financial services;

(xiv) mercantile agency and mercantile usage;

(xv) partnership agreements;

(xvi) technology development agreements;

(xvii) intellectual property rights relating to registered and unregistered trademarks, copyright, patent, design, domain names, geographical indications and semiconductor integrated circuits;

(xviii) agreements for sale of goods or provision of services;

(xix) exploitation of oil and gas reserves or other natural resources including electromagnetic spectrum;

(xx) insurance and re-insurance;

(xxi) contracts of agency relating to any of the above; and

(xxii) such other commercial disputes as may be notified by the Central Government.

Explanation.— a commercial dispute shall not cease to be a commercial dispute merely because—

(a) it also involves action for recovery of immovable property or for realisation of monies out of immovable property given as security or involves any other relief pertaining to immovable property;

(b) one of the contracting parties is the State or any of its agencies or instrumentalities, or a private body carrying out public functions;

(d) “Commercial Division” means the Commercial Division in a High Court constituted under sub-section (1) of section 4;

(e) “District Judge” shall have the same meaning as assigned to it in clause (a) of article 236 of the Constitution of India;

(f) “document” means any matter expressed or described upon any substance by means of letters, figures or marks, or electronic means, or by more than one of those means, intended to be used, or which may be used, for the purpose of recording that matter;

(g) “notification” means a notification published in the Official Gazette and the expression “notify” with its cognate meanings and grammatical variations shall be construed accordingly;

(h) “Schedule” means the Schedule appended to the Ordinance; and

(j) “Specified Value”, in relation to a commercial dispute, shall mean the value of the subject matter in respect of a suit as determined in accordance with section 12 which shall not be less than one crore rupees or such higher value, as may be notified by the Central Government.”.

(2) The words and expressions used and not defined in this Ordinance but defined in the Code of Civil Procedure, 1908 and the Evidence Act, 1872, shall have the same meanings respectively assigned to them in that Code and the Act.

CHAPTER II

Constitution of Commercial Courts, Commercial Divisions and Commercial Appellate Divisions

3. *Constitution of Commercial Courts.*— (1) The State Government, may after consultation with the concerned High Court, by notification, constitute such number of Commercial Courts at District level, as it may deem necessary for the purpose of exercising the jurisdiction and powers conferred on those Courts under this Ordinance:

Provided that no Commercial Court shall be constituted for the territory over which the High Court has ordinary original civil jurisdiction.

(2) The State Government shall, after consultation with the concerned High Court specify, by notification, the local limits of the area to which the jurisdiction of a Commercial Court shall extend and may, from time to time, increase, reduce or alter such limits.

(3) The State Government shall, with the concurrence of the Chief Justice of the High Court appoint one or more persons having experience in dealing with commercial disputes to be the Judge or Judges, of a Commercial Court, from amongst the cadre of Higher Judicial Service in the State.

4. *Constitution of Commercial Division of High Court.*— (1) In all High Courts, having ordinary civil jurisdiction, the Chief Justice of the High Court may, by order, constitute Commercial Division having one or more Benches consisting of a single Judge for the purpose of exercising the jurisdiction and powers conferred on it under this Ordinance.

(2) The Chief Justice of the High Court shall nominate such judges of the High Court who have experience in dealing with commercial disputes to be judges of the Commercial Division.

5. *Constitution of Commercial Appellate Division.*— (1) After issuing notification under sub-section (1) of section 3 or order under sub-section (1) of section 4, the Chief Justice of the concerned High Court shall, by order, constitute Commercial Appellate Division having one or more Division Benches for the purpose of exercising the jurisdiction and powers conferred on it by the Ordinance.

(2) The Chief Justice of the High Court shall nominate such judges of the High Court who have experience in dealing with commercial disputes to be judges of the Commercial Appellate Division.

6. *Jurisdiction of Commercial Court.*— The Commercial Court shall have jurisdiction to try all suits and applications relating to a commercial dispute of a Specified Value arising out of the entire territory of the State over which it has been vested territorial jurisdiction.

Explanation.— For the purposes of this section, a commercial dispute shall be considered to arise out of the entire territory of the State over which a Commercial Court has been

vested jurisdiction, if the suit or application relating to such commercial dispute has been instituted as per the provisions of sections 16 to 20 of the Code of Civil Procedure, 1908. 5 of 1908.

7. Jurisdiction of Commercial Divisions of High Courts.— All suits and applications relating to commercial disputes of a Specified Value filed in a High Court having ordinary original civil jurisdiction shall be heard and disposed of by the Commercial Division of that High Court:

Provided that all suits and applications relating to commercial disputes, stipulated by an Act to lie in a court not inferior to a District Court, and filed on the original side of the High Court, shall be heard and disposed of by the Commercial Division of the High Court:

Provided further that all suits and applications transferred to the High Court by virtue of sub-section (4) of section 22 of the Designs Act, 2000 16 of 2000. or section 104 of the Patents Act, 1970 shall be heard and disposed 39 of 1970. of by the Commercial Division of the High Court in all the areas over which the High Court exercises ordinary original civil jurisdiction.

8. Bar against revision application or petition against an interlocutory order.— Notwithstanding anything contained in any other law for the time being in force, no civil revision application or petition shall be entertained against any interlocutory order of a Commercial Court, including an order on the issue of jurisdiction, and any such challenge, subject to the provisions of section 13, shall be raised only in an appeal against the decree of the Commercial Court.

9. Transfer of suit if counter-claim in a commercial dispute is of Specified Value.— (1) Notwithstanding anything contained in the Code of

Civil Procedure, 1908, in the event 5 of 1908. that a counter-claim filed in a suit before a civil court relating to a commercial dispute is of Specified Value, such suit shall be transferred by the civil court to the Commercial Division or Commercial Court, as the case may be, having territorial jurisdiction over such suit.

(2) In the event that such suit is not transferred in the manner contemplated in sub-section (1), the Commercial Appellate Division of the High Court exercising supervisory jurisdiction over the civil court in question may, on the application of any of the parties to the suit, withdraw such suit pending before the civil court and transfer the same for trial or disposal to the Commercial Court or Commercial Division or, as the case may be, having territorial jurisdiction over such suit, and such order of transfer shall be final and binding.

10. Jurisdiction in respect of arbitration matters.— Where the subject matter of an arbitration is a commercial dispute of a Specified Value and—

(1) If such arbitration is an international commercial arbitration, all applications or appeals arising out of such arbitration under the provisions of the Arbitration and Conciliation Act, 1996 that have been filed in 26 of 1996. a High Court, shall be heard and disposed of by the Commercial Appellate Division where such Commercial Appellate Division has been constituted in such High Court.

(2) If such arbitration is other than an international commercial arbitration, all applications or appeals arising out of such arbitration under the provisions of the Arbitration and Conciliation Act, 1996 that have been filed on 26 of 1996.

the original side of the High Court, shall be heard and disposed of by the Commercial Appellate Division where such Commercial Appellate Division has been constituted in such High Court.

(3) If such arbitration is other than an international commercial arbitration, all applications or appeals arising out of such arbitration under the provisions of the Arbitration and Conciliation Act, 1996 that would ordinarily²⁶ of 1996. lie before any principal civil court of original jurisdiction in a district (not being a High Court) shall be filed in, and heard and disposed of by the Commercial Court exercising territorial jurisdiction over such arbitration where such Commercial Court has been constituted.

11. *Bar of jurisdiction of Commercial Courts and Commercial Divisions.*— Notwithstanding anything contained in this Ordinance, a Commercial Court or a Commercial Division shall not entertain or decide any suit, application or proceedings relating to any commercial dispute in respect of which the jurisdiction of the civil court is either expressly or impliedly barred under any other law for the time being in force.

CHAPTER III

Specified Value

12. *Determination of Specified Value.*— (1) The Specified Value of the subject matter of the commercial dispute in a suit, appeal or application shall be determined in the following manner:—

(a) where the relief sought in a suit or application is for recovery of money, the money sought to be recovered in the suit or application inclusive of interest, if any, computed up to the date of filing of the suit or application, as the case may be, shall be taken into account for determining such Specified Value;

(b) where the relief sought in a suit, appeal or application relates to movable property or to a right therein, the market value of the movable property as on the date of filing of the suit, appeal or application, as the case may be, shall be taken into account for determining such Specified Value;

(c) where the relief sought in a suit, appeal or application relates to immovable property or to a right therein, the market value of the immovable property, as on the date of filing of the suit, appeal or application, as the case may be, shall be taken into account for determining Specified Value;

(d) where the relief sought in a suit, appeal or application relates to any other intangible right, the market value of the said rights as estimated by the plaintiff shall be taken into account for determining Specified Value; and

(e) where the counter-claim is raised in any suit, appeal or application, the value of the subject matter of the commercial dispute in such counter-claim as on the date of the counter-claim shall be taken into account.

(2) The aggregate value of the claim and counter-claim, if any, as set out in the statement of claim and the counter-claim, if any, in an arbitration of a commercial dispute shall be the basis for determining whether such arbitration is subject to the jurisdiction of a Commercial Division, Commercial Appellate Division or Commercial Court, as the case may be.

(3) No appeal or civil revision application under section 115 of the Code of Civil Procedure, 1908, as⁵ of 1908. the case may be, shall lie from an order of a Commercial Division or Commercial Court finding that it has jurisdiction to hear a commercial dispute under this Ordinance.

CHAPTER IV

Appeals

13. *Appeals from decrees of Commercial Courts and Commercial Divisions.*— (1) Any person aggrieved by the decision of the Commercial Court or Commercial Division of a High Court may appeal to the Commercial Appellate Division of that High Court within a period of sixty days from the date of judgment or order, as the case may be:

Provided that an appeal shall lie from such orders passed by a Commercial Division or a Commercial Court that are specifically enumerated under Order XLIII of the Code of Civil Procedure, 1908 as amended by this Ordinance 5 of 1908. and section 37 of the Arbitration and Conciliation Act, 1996. 26 of 1996.

(2) Notwithstanding anything contained in any other law for the time being in force or Letters Patent of a High Court, no appeal shall lie from any order or decree of a Commercial Division or Commercial Court otherwise than in accordance with the provisions of this Ordinance.

14. *Expeditious disposal of appeals.*— The Commercial Appellate Division shall endeavour to dispose of appeals filed before it within a period of six months from the date of filing of such appeal.

CHAPTER V

Transfer of Pending Suits

15. *Transfer of pending cases.*— (1) All suits and applications, including applications under the Arbitration and Conciliation Act, 1996, relating to a commercial dispute of Specified Value pending in a High Court where a Commercial Division has been constituted, shall be transferred to the Commercial Division. 26 of 1996.

(2) All suits and applications, including applications under the Arbitration and Conciliation Act, 1996, relating to a commercial dispute of Specified Value pending in any civil court in any district or area in respect of which a Commercial Court has been constituted, shall be transferred to such Commercial Court: 26 of 1996.

Provided that no suit or application where the final judgment has been reserved by the Court prior to the constitution of the Commercial Division or the Commercial Court shall be transferred either under sub-section (1) or sub-section (2).

(3) Where any suit or application, including an application under the Arbitration and Conciliation Act, 1996, relating to a commercial dispute of Specified Value shall stand transferred to the Commercial Division or Commercial Court under sub-section (1) or sub-section (2), the provisions of this Ordinance shall apply to those procedures that were not complete at the time of transfer. 26 of 1996.

(4) The Commercial Division or Commercial Court, as the case may be, may hold case management hearings in respect of such transferred suit or application in order to prescribe new timelines or issue such further directions as may be necessary for a speedy and efficacious disposal of such suit or application in accordance with Order XIV-A of the Code of Civil Procedure, 1908: 5 of 1908.

Provided that the proviso to sub-rule (1) of Rule 1 of Order V of the Code of Civil Procedure, 1908 shall not apply to such transferred suit or application and the court may, in its discretion, prescribe a new time period within which the written statement must be filed. 5 of 1908.

(5) In the event that such suit or application is not transferred in the manner specified in sub-section (1), sub-section (2) or sub-section (3), the Commercial Appellate Division of the High Court may, on the application of any of the parties to the suit, withdraw such suit or application from the court before which it is pending and transfer the same for trial or disposal to the Commercial Division or Commercial Court, as the case may be, having territorial jurisdiction over such suit, and such order of transfer shall be final and binding.

CHAPTER VI

Amendments to the Provisions of The Code of Civil Procedure, 1908

16. *Amendments to Code of Civil Procedure, 1908 in its application to commercial disputes.*— (1) The provisions of the Code of Civil Procedure, 1908 shall, in their application to any suit in respect of a commercial dispute of a Specified Value, stand amended in the manner as specified in the Schedule.

(2) The Commercial Division and Commercial Court shall follow the provisions of the Code of Civil Procedure, 1908, as amended by this Ordinance, in the trial of a suit in respect of a commercial dispute of a Specified Value.

(3) Where any provision of any Rule of the jurisdictional High Court or any amendment to the Code of Civil Procedure, 1908, by the State Government is in conflict with the provisions of the Code of Civil Procedure, 1908, as amended by this Ordinance, the provisions of the Code of Civil Procedure as amended by this Ordinance shall prevail.

CHAPTER VII

Miscellaneous

17. *Collection and disclosure of data by Commercial Courts, Commercial Divisions and*

Commercial Appellate Divisions.— The statistical data regarding the number of suits, applications, appeals or writ petitions filed before the Commercial Court, Commercial Division, or Commercial Appellate Division, as the case may be, the pendency of such cases, the status of each case, and the number of cases disposed of, shall be maintained and updated every month by each Commercial Court, Commercial Division, Commercial Appellate Division and shall be published on the website of the relevant High Court.

18. *Power of High Court to issue directions.*— The High Court may, by notification, issue practice directions to supplement the provisions of Chapter II or the Code of Civil Procedure, 1908 in so far as such provisions apply to the hearing of commercial disputes of a Specified Value.

19. *Infrastructure facilities.*— The State Government shall provide necessary infrastructure to facilitate the working of a Commercial Court or a Commercial Division of a High Court.

20. *Training and continuous education.*— The State Government may, in consultation with the High Court, establish necessary facilities providing for training of Judges who may be appointed to the Commercial Court, Commercial Division or the Commercial Appellate Division in a High Court.

21. *Act to have overriding effect.*— Save as otherwise provided, the provisions of this Ordinance shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law for the time being in force other than this Ordinance.

22. *Power to remove difficulties.*— (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may, by order published in the Official Gazette, make such provisions, not

inconsistent with the provisions of this Ordinance as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of two years from the date of commencement of this Ordinance.

(2) Every order made under this section shall be laid, as soon as may be, after it is made, before each House of Parliament.

SCHEDULE

(See section 17)

1. *Amendment of section 26.*— In section 26 of the Code of Civil Procedure, 1908 (hereafter referred to as 5 of 1908. the Code), in sub-section (2), the following proviso shall be inserted, namely:—

“Provided that such an affidavit shall be in the form and manner as prescribed under Order VI Rule 15A.”.

2. *Substitution of new section for section 35.*— For section 35 of the Code, the following section shall be substituted, namely:—

“35. (1) In relation to any commercial dispute, the Court, notwithstanding anything contained in any other law for the time being in force or Rule, has the discretion to determine:

- (a) whether costs are payable by one party to another;
- (b) the quantum of those costs; and
- (c) when they are to be paid.

Explanation.— For the purpose of clause (a), the expression “costs” shall mean reasonable costs relating to—

- (i) the fees and expenses of the witnesses incurred;
- (ii) legal fees and expenses incurred;
- (iii) any other expenses incurred in connection with the proceedings.

(2) If the Court decides to make an order for payment of costs, the general rule is that the unsuccessful party will be ordered to pay the costs of the successful party:

Provided that the Court may make an order deviating from the general rule for reasons to be recorded in writing.

Illustration: The Plaintiff, in his suit, seeks a money decree for breach of contract, and damages. The Court holds that the Plaintiff is entitled to the money decree. However, it returns a finding that the claim for damages is frivolous and vexatious.

In such circumstances the Court may impose costs on the Plaintiff, despite the Plaintiff being the successful party, for having raised frivolous claims for damages.

(3) In making an order for the payment of costs, the Court shall have regard to the following circumstances, including—

- (a) the conduct of the parties;
- (b) whether a party has succeeded on part of its case, even if that party has not been wholly successful;
- (c) whether the party had made a frivolous counter-claim leading to delay in the disposal of the case;
- (d) whether any reasonable offer to settle is made by a party and unreasonably refused by the other party; and
- (e) whether the party had made a frivolous claim and instituted a vexatious proceeding wasting the time of the Court.

(4) The orders which the Court may make under this provision include an order that a party must pay—

- (a) a proportion of another party’s costs;
- (b) a stated amount in respect of another party’s costs;
- (c) costs from or until a certain date;
- (d) costs incurred before proceedings have begun;
- (e) costs relating to particular steps taken in the proceedings;
- (f) costs relating to a distinct part of the proceedings; and
- (g) interest on costs from or until a certain date.

3. *Amendment of section 35A.*— In section 35A of the Code, sub-section (2) shall be omitted.

4. *Amendment of First Schedule.*— In the First Schedule to the Code,—

(A) in the Order V, in Rule 1, in sub-rule (1), for the second proviso, the following proviso shall be substituted, namely:—

“Provided further that where the defendant fails to file the written statement within the said period of thirty days, he shall be allowed to file the written statement on such other day, as may be specified by the Court, for reasons to be recorded in writing and on payment of such costs as the Court deems fit, but which shall not be later than one hundred twenty days from the date of service of summons. On expiry of one hundred twenty days from the date of service of summons, the defendant shall forfeit the right to file the written statement and the Court shall not allow the written statement to be taken on record.”;

(B) in Order VI,—

(i) after Rule 3, the following Rule shall be inserted, namely:—

“3A. *Forms of pleading in Commercial Courts.*— In a Commercial Dispute, where forms of pleadings have been prescribed under the High Court Rules or Practice Directions made for the purposes of such commercial disputes, pleadings shall be in such forms.”;

(ii) after Rule 15, the following Rule shall be inserted, namely:—

“15A. *Verification of pleadings in a Commercial Dispute.*— (1) Notwithstanding anything contained in Rule 15, every pleading in a Commercial Dispute shall be verified by an affidavit in the manner and form prescribed in the Appendix to this Schedule.

(2) An affidavit under sub-rule (1) above shall be signed by the party or by one of the parties to the proceedings, or by any other person on behalf of such party or parties who is proved to the satisfaction of the Court to be acquainted with the facts of the case and who is duly authorised by such party or parties.

(3) Where a pleading is amended, the amendments must be verified in the form and manner referred to in sub-rule (1) unless the Court orders otherwise.

(4) Where a pleading is not verified in the manner provided under sub-rule (1), the party shall not be permitted to rely on such pleading as evidence or any of the matters set out therein.

(5) The Court may strike out a pleading which is not verified by a Statement of Truth, namely, the affidavit set out in the Appendix to this Schedule.”;

(C) in Order VII, after Rule 2, the following Rule shall be inserted, namely:—

“2A. Where interest is sought in the suit.—

(1) Where the plaintiff seeks interest, the plaint shall contain a statement to that effect along with the details set out under sub-rules (2) and (3).

(2) Where the plaintiff seeks interest, the plaint shall state whether the plaintiff is seeking interest in relation to a commercial transaction within the meaning of section 34 of the Code of Civil Procedure, 1908 and, furthermore, 5 of 1908, if the plaintiff is doing so under the terms of a contract or under an Act, in which case the Act is to be specified in the plaint; or on some other basis and shall state the basis of that.

(3) Pleadings shall also state—

(a) the rate at which interest is claimed;

(b) the date from which it is claimed;

(c) the date to which it is calculated;

(d) the total amount of interest claimed to the date of calculation; and

(e) the daily rate at which interest accrues after that date.”;

(D) in Order VIII,—

(i) in Rule 1, for the proviso, the following proviso shall be substituted, namely:—

“Provided that where the defendant fails to file the written statement within the said period of thirty days, he shall be allowed to file the written statement on such other day, as may be specified by the Court, for reasons to be recorded in writing and on payment of such costs as the Court deems fit, but which shall not be later than one hundred twenty days from the date of

service of summons. On expiry of one hundred twenty days from the date of service of summons, the defendant shall forfeit the right to file the written statement and the Court shall not allow the written statement to be taken on record.”;

(ii) after Rule 3, the following Rule shall be inserted, namely:—

“3A. Denial by the defendant in suits before the Commercial Division of the High Court or the Commercial Court.— (1) Denial shall be in the manner provided in sub-rules (2), (3), (4) and (5) of this Rule.

(2) The defendant in his written statement shall state which of the allegations in the particulars of plaint he denies, which allegations he is unable to admit or deny, but which he requires the plaintiff to prove, and which allegations he admits.

(3) Where the defendant denies an allegation of fact in a plaint, he must state his reasons for doing so and if he intends to put forward a different version of events from that given by the plaintiff, he must state his own version.

(4) If the defendant disputes the jurisdiction of the Court he must state the reasons for doing so, and if he is able, give his own statement as to which Court ought to have jurisdiction.

(5) If the defendant disputes the plaintiff's valuation of the suit, he must state his reasons for doing so, and if he is able, give his own statement of the value of the suit.”;

(iii) in Rule 5, in sub-rule (1), after the first proviso, the following proviso shall be inserted, namely:—

“Provided further, that every allegation of fact in the plaint, if not denied in the manner provided under Rule 3A of this Order, shall be taken to be admitted except as against a person under disability.”;

(iv) in Rule 10, after the first proviso, the following proviso shall be inserted, namely:—

“Provided further that no Court shall make an order to extend the time provided

under Rule 1 of this Order for filing of the written statement.”;

(E) for Order XI of the Code, the following Order shall be substituted, namely:—

“ORDER XI

Disclosure, Discovery and Inspection of Documents in Suits before the Commercial Division of a High Court or a Commercial Court

1. Disclosure and discovery of documents.— (1) Plaintiff shall file a list of all documents and photocopies of all documents, in its power, possession, control or custody, pertaining to the suit, along with the plaint, including:

(a) Documents referred to and relied on by the plaintiff in the plaint;

(b) Documents relating to any matter in question in the proceedings, in the power, possession, control or custody of the plaintiff, as on the date of filing the plaint, irrespective of whether the same is in support of or adverse to the plaintiff's case;

(c) nothing in this Rule shall apply to documents produced by plaintiffs and relevant only—

(i) for the cross-examination of the defendant's witnesses, or

(ii) in answer to any case setup by the defendant subsequent to the filing of the plaint, or

(iii) handed over to a witness merely to refresh his memory.

(2) The list of documents filed with the plaint shall specify whether the documents in the power, possession, control or custody of the plaintiff are originals, office copies or photocopies. The list shall also set out in brief, details of parties to each document, mode of execution, issuance or receipt and line of custody of each document.

(3) The plaint shall contain a declaration on oath from the plaintiff that all documents in the power, possession, control or custody of the plaintiff, pertaining to the facts and circumstances of the proceedings initiated by him have been disclosed and copies thereof annexed with the plaint, and that the plaintiff does not have any other documents in its power, possession, control or custody.

Explanation.— A declaration on oath under this sub-rule shall be contained in the Statement of Truth as set out in the Appendix.

(4) In case of urgent filings, plaintiff may seek leave to rely on additional documents, as part of the above declaration on oath and subject to grant of such leave by Court, the plaintiff shall file such additional documents in Court, within thirty days of filing the suit, along with a declaration on oath that the plaintiff has produced all documents in its power, possession, control or custody, pertaining to the facts and circumstances of the proceedings initiated by the plaintiff and that the plaintiff does not have any other documents, in its power, possession, control or custody.

(5) Plaintiff shall not be allowed to rely on documents, which were in the plaintiff's power, possession, control or custody and not disclosed along with plaint or within the extended period set out above, save and except by leave of Court. Such leave shall be granted only upon the plaintiff establishing reasonable cause for non-disclosure along with the plaint.

(6) The plaint shall set out details of documents, which the plaintiff believes to be in the power, possession, control or custody of the defendant and which the plaintiff wishes to rely upon and seek leave for production thereof by the said defendant.

(7) Defendant shall file a list of all documents and photocopies of all documents, in its power, possession, control or custody, pertaining to the suit, along with the written statement or with its counter-claim if any, including—

(a) documents referred to and relied on by the defendant in the written statement;

(b) documents relating to any matter in question in the proceeding in the power, possession, control or custody of the defendant, irrespective of whether the same is in support of or adverse to the defendant's defense;

(c) nothing in this Rule shall apply to documents produced by defendants and relevant only—

(i) for the cross-examination of the plaintiff's witnesses,

(ii) in answer to any case setup by the plaintiff subsequent to the filing of the plaint, or

(iii) handed over to a witness merely to refresh his memory.

(8) The list of documents filed with the written statement or counter-claim shall specify whether the documents, in the power, possession, control or custody of the defendant, are originals, office copies or photocopies. The list shall also set out in brief, details of parties to each document being produced by the defendant, mode of execution, issuance or receipt and line of custody of each document;

(9) The written statement or counter-claim shall contain a declaration on oath made by the deponent that all documents in the power, possession, control or custody of the defendant, save and except for those set out in sub-rule 7 (c)(iii) above, pertaining to the facts and circumstances of the proceedings initiated by the plaintiff or in the counter-claim, have been disclosed and copies thereof annexed with the written statement or counter-claim and that the defendant does not have in its power, possession, control or custody, any other documents;

(10) Save and except for sub-rule 7 (c)(iii), defendant shall not be allowed to rely on documents, which were in the defendant's power, possession, control or custody and not disclosed along with the written statement or counter claim, save and except by leave of Court. Such leave shall be granted only upon the defendant establishing reasonable cause for non-disclosure along with the written statement or counter-claim;

(11) The written statement or counter-claim shall set out details of documents in the power, possession, control or custody of the plaintiff, which the defendant wishes to rely upon and which have not been disclosed with the plaint, and call upon the plaintiff to produce the same;

(12) Duty to disclose documents, which have come to the notice of a party, shall continue till disposal of the suit.

2. *Discovery by Interrogatories.*— (1) In any suit the plaintiff or defendant by leave of the court may deliver interrogatories in writing for the examination of the opposite parties or any one or more of such parties, and such interrogatories when delivered shall have a note at the foot thereof stating which of such interrogatories each of such persons is required to answer:

Provided that no party shall deliver more than one set of interrogatories to the same party without an order for that purpose:

Provided further that interrogatories which do not relate to any matters in question in the suit shall be deemed irrelevant, notwithstanding that they might be admissible on the oral cross-examination of a witness.

(2) On an application for leave to deliver interrogatories, the particular interrogatories proposed to be delivered shall be submitted to the court, and that court shall decide within seven days from the day of filing of the said application, in deciding upon such application, the court shall take into account any offer, which may be made by the party sought to be interrogated to deliver particulars, or to make admissions, or to produce documents relating to the matters in question, or any of them, and leave shall be given as to such only of the interrogatories submitted as the court shall consider necessary either for disposing fairly of the suit or for saving costs.

(3) In adjusting the costs of the suit inquiry shall at the instance of any party be made into the propriety of exhibiting such interrogatories, and if it is the opinion of the taxing officer or of the court, either with or without an application for inquiry, that such interrogatories have been exhibited unreasonably, vexatiously, or at improper length, the costs occasioned by the said interrogatories and the answers thereto shall be paid in any event by the party in fault.

(4) Interrogatories shall be in the form provided in Form No. 2 in Appendix C to the Code of Civil Procedure, 1908, 5 of 1908, with such variations as circumstances may require.

(5) Where any party to a suit is a corporation or a body of persons, whether incorporated or not, empowered by law to sue or be sued, whether in its own name or in the name of any officer of other person, any opposite party may apply for an order allowing him to deliver interrogatories to any member or officer of such corporation or body, and an order may be made accordingly.

(6) Any objection to answering any interrogatory on the ground that it is scandalous or irrelevant or not exhibited *bona fide* for the purpose of the suit, or that the matters inquired into are not sufficiently material at that stage, or

on the ground of privilege or any other ground may be taken in the affidavit in answer.

(7) Any interrogatories may be set aside on the ground that they have been exhibited unreasonably or vexatiously, or struck out on the ground that they are prolix, oppressive, unnecessary or scandalous and any application for this purpose may be made within seven days after service of the interrogatories.

(8) Interrogatories shall be answered by affidavit to be filed within ten days, or within such other time as the court may allow.

(9) An affidavit in answer to interrogatories shall be in the form provided in Form No. 3 in Appendix C to the Code of Civil Procedure, 1908, 5 of 1908, with such variations as circumstances may require.

(10) No exceptions shall be taken to any affidavit in answer, but the sufficiency or otherwise of any such affidavit objected to as insufficient shall be determined by the court.

(11) Where any person interrogated omits to answer, or answers insufficiently, the party interrogating may apply to the court for an order requiring him to answer, or to answer further, as the case may be, and an order may be made requiring him to answer, or to answer further, either affidavit or by *viva voce* examination, as the court may direct.

3. *Inspection.*— (1) All parties shall complete inspection of all documents disclosed within thirty days of the date of filing of the written statement or written statement to the counter-claim, whichever is later. The Court may extend this time limit upon application at its discretion, but not beyond thirty days in any event.

(2) Any party to the proceedings may seek directions from the Court, at any stage of the proceedings, for inspection or production of documents by the other party, of which inspection has been refused by such party or documents have not been produced despite issuance of a notice to produce.

(3) Order in such application shall be disposed of within thirty days of filing such application, including filing replies and rejoinders (if permitted by Court) and hearing.

(4) If the above application is allowed, inspection and copies thereof shall be furnished to the party seeking it, within five days of such order.

(5) No party will be permitted to rely on a document, which it had failed to disclose or of which inspection has not been given, save and except with leave of Court.

(6) Court may impose exemplary costs against a defaulting party, who wilfully or negligently failed to disclose all documents pertaining to a suit or essential for a decision therein and which are in their power, possession, control or custody or where a Court holds that inspection or copies of any documents had been wrongfully or unreasonably withheld or refused.

4. *Admission and denial of documents.*— (1) Each party shall submit a statement of admissions or denials of all documents disclosed and of which inspection has been completed, within fifteen days of the completion of inspection or any later date as fixed by the Court.

(2) The statement of admissions and denials shall set out explicitly, whether such party was admitting or denying:

- (a) Correctness of contents of a document;
- (b) Existence of a document;
- (c) Execution of a document;
- (d) Issuance or receipt of a document;
- (e) Custody of a document.

Explanation.— A statement of admission or denial of the existence of a document made in accordance with sub-rule 3(2)(b) of the modified order XI will include the admission or denial of the contents of a document.

(3) Each party shall set out reasons for denying a document under any of the above grounds. Bare and unsupported denials shall not be deemed to be denials of a document and proof of such documents may then be dispensed with at the discretion of the Court.

(4) Any party may however submit bare denials for third party documents of which the party denying does not have any personal knowledge of, and to which the party denying is not a party to in any manner whatsoever.

(5) An Affidavit in support of the statement of admissions and denials shall be filed confirming the correctness of the contents of the statement.

(6) In the event that the Court holds that any party has unduly refused to admit a document under any of the above criteria, costs (including exemplary costs) for deciding on admissibility of a document may be imposed by the Court on such party.

(7) Court may pass orders with respect to admitted documents including for waiver of further proof thereon or rejection of any documents.

5. *Production of documents.*— (1) Any party to a proceeding may seek or the Court may order, at any time during the pendency of any suit, production by any party or person, of such documents in the possession or power of such party or person, relating to any matter in question in such suit.

(2) Notice to produce such document shall be issued in the Form provided in Form No. 7 in Appendix C to the Code of Civil Procedure, 1908.

5 of 1908.

(3) Any party or person to whom such notice to produce is issued shall be given not less than seven days and not more than fifteen days to produce such document or to answer to their inability to produce such document.

(4) The Court may draw an adverse inference against a party refusing to produce such document after issuance of a notice to produce and where sufficient reasons for such non-production are not given and order costs.

6. *Electronic Records.* — (1) In case of disclosures and inspection of Electronic Records (as defined in the Information Technology Act, 2000), 21 of 2000, furnishing of printouts shall be sufficient compliance of the above provisions.

(2) At the discretion of the parties or where required (when parties wish to rely on audio or video content), copies of electronic records may be furnished in electronic form either in addition to or in lieu of printouts.

(3) Where Electronic Records form part of documents disclosed, the declaration on oath to be filed by a party shall specify—

- (a) parties to such Electronic Record;

(b) manner in which such electronic record was produced and by whom;

(c) dates and time of preparation or storage or issuance or receipt of each such electronic record;

(d) source of such electronic record and date and time when the electronic record was printed;

(e) in case of email ids, details of ownership, custody and access to such email ids;

(f) in case of documents stored on a computer or computer resource (including on external servers or cloud), details of ownership, custody and access to such data on the computer or computer resource;

(g) deponent's knowledge of contents and correctness of contents;

(h) whether the computer or computer resource used for preparing or receiving or storing such document or data was functioning properly or in case of malfunction that such malfunction did not affect the contents of the document stored;

(i) that the printout or copy furnished was taken from the original computer or computer resource.

(4) The parties relying on printouts or copy in electronic form, of any electronic records, will not be required to give inspection of electronic records, provided a declaration is made by such party that each such copy, which has been produced, has been made from the original Electronic Record.

(5) The Court may give directions for admissibility of Electronic Records at any stage of the proceedings.

(6) Any party may seek directions from the Court and the Court may of its motion issue directions for submission of further proof of any electronic record including metadata or logs before admission of such electronic record.

7. *Certain provisions of the Code of Civil Procedure, 1908 not to apply.*— For avoidance of doubt, it is hereby clarified that Order XIII Rule 1, Order VII Rule 14 and Order VIII Rule 1A the Code of Civil Procedure, 1908 shall not apply to suits or applications before the Commercial Divisions of High Court or Commercial Courts.”.

5. *Insertion of new Order XIII-A.*— After Order XIII of the Code, the following Order shall be inserted, namely:—

“ORDER XIII-A

1. *Scope of and classes of suits to which this Order applies.*— (1) This Order sets out the procedure by which Courts may decide a claim pertaining to any Commercial Dispute without recording oral evidence.

(2) For the purposes of this Order, the word “claim” shall include—

(a) part of a claim;

(b) any particular question on which the claim (whether in whole or in part) depends; or

(c) a counter-claim, as the case may be.

(3) Notwithstanding anything to the contrary, an application for summary judgment under this Order shall not be made in a suit in respect of any Commercial Dispute that is originally filed as a summary suit under Order XXXVII.

2. *Stage for application for summary judgment.*— An applicant may apply for summary judgment at any time after summons has been served on the defendant:

Provided that, no application for summary judgment may be made by such applicant after the Court has framed the issues in respect of the suit.

3. *Grounds for summary judgment.*— The Court may give a summary judgment against a plaintiff or defendant on a claim if it considers that—

(a) the plaintiff has no real prospect of succeeding on the claim or the defendant has no real prospect of successfully defending the claim, as the case may be; and

(b) there is no other compelling reason why the claim should not be disposed of before recording of oral evidence.

4. *Procedure.*— (1) An application for summary judgment to a Court shall, in addition to any other matters the applicant may deem relevant, include the matters set forth in sub-rules (a) to (f) mentioned hereunder:

(a) the application must contain a statement that it is an application for summary judgment made under this Order;

(b) the application must precisely-disclose all material facts and identify the point of law, if any;

(c) in the event the applicant seeks to rely upon any documentary evidence, the applicant must,—

(i) include such documentary evidence in its application, and

(ii) identify the relevant content of such documentary evidence on which the applicant relies;

(d) the application must state the reason why there are no real prospects of succeeding on the claim or defending the claim, as the case may be;

(e) the application must state what relief the applicant is seeking and briefly state the grounds for seeking such relief.

(2) Where a hearing for summary judgment is fixed, the respondent must be given at least thirty days' notice of:

(a) the date fixed for the hearing; and

(b) the claim that is proposed to be decided by the Court at such hearing.

(3) The respondent may, within thirty days of the receipt of notice of application of summary judgment or notice of hearing (whichever is earlier), file a reply addressing the matters set forth in sub-rules (a) to (f) mentioned hereunder in addition to any other matters that the respondent may deem relevant:

(a) The reply must precisely—

(i) disclose all material facts;

(ii) identify the point of law, if any; and

(iii) state the reasons why the relief sought by the applicant should not be granted;

(b) in the event the respondent seeks to rely upon any documentary evidence in its reply, the respondent must—

(i) include such documentary evidence in its reply; and

(ii) identify the relevant content of such documentary evidence on which the respondent relies;

(c) the reply must state the reason why there are real prospects of succeeding on the claim or defending the claim, as the case may be;

(d) the reply must concisely state the issues that should be framed for trial;

(e) the reply must identify what further evidence will be brought on record at trial that could not be brought on record at the stage of summary judgment; and

(f) the reply must state why, in light of the evidence or material on record if any, the Court should not proceed to summary judgment.

5. *Evidence for hearing of summary judgment.*—

(1) Notwithstanding anything in this Order, if the respondent in an application for summary judgment wishes to rely on additional documentary evidence during the hearing, the respondent must:

(a) file such documentary evidence; and

(b) serve copies of such documentary evidence on every other party to the application at least fifteen days prior to the date of the hearing.

(2) Notwithstanding anything in this Order, if the applicant for summary judgment wishes to rely on documentary evidence in reply to the defendant's documentary evidence, the applicant must:

(a) file such documentary evidence in reply; and

(b) serve a copy of such documentary evidence on the respondent at least five days prior to the date of the hearing.

(3) Notwithstanding anything to the contrary, sub-rules (1) and (2) above shall not require documentary evidence to be:

(a) filed if such documentary evidence has already been filed; or

(b) served on a party on whom it has already been served.

6. *Orders that may be made by the Court.*— (1) On an application made under this Order, the Court may make such orders that it may deem fit in its discretion including the following:

- (a) judgment on the claim;
- (b) conditional order in accordance with Rule 7 mentioned hereunder;
- (c) dismissing the application;
- (d) dismissing part of the claim and a judgment on part of the claim that is not dismissed;
- (e) striking out the pleadings (whether in whole or in part); or
- (f) further directions to proceed for case management under Order XVA.

(2) Where the Court makes any of the orders as set forth in sub-rule (1)(a) to (f) above, the Court shall record its reasons for making such order.

7. *Conditional order.*— (1) Where it appears to the Court that it is possible that a claim or defence may succeed but it is improbable that it will do so, the Court may make a conditional order as set forth in Rule 6(b) above.

(2) Where the Court makes a conditional order, it may:

(a) make it subject to all or any of the following conditions:

(i) require a party to deposit a sum of money in the Court;

(ii) require a party to take a specified step in relation to the claim or defence, as the case may be;

(iii) require a party, as the case may be, to give such security or provide such surety for restitution of costs as the Court deems fit and proper;

(iv) impose such other conditions, including providing security for restitution of losses that any party is likely to suffer during the pendency of the suit, as the Court may deem fit in its discretion; and

(b) specify the consequences of the failure to comply with the conditional order, including passing a judgment against the party that have not complied with the conditional order.

8. *Power to impose costs.*— The Court may make an order for payment of costs in an application for summary judgment in accordance

with the provisions of sections 35 and 35A of the Code.”.

6. *Omission of Order XV.*— Order XV of the Code shall be omitted.

7. *Insertion of Order XV-A.*— After Order XV of the Code, the following Order shall be inserted, namely:—

“ORDER XV-A

1. *First Case Management Hearing.*— The Court shall hold the first Case Management Hearing, not later than four weeks from the date of filing of affidavit of admission or denial of documents by all parties to the suit.

2. *Orders to be passed in a Case Management Hearing.*— In a Case Management Hearing, after hearing the parties, and once it finds that there are issues of fact and law which require to be tried, the Court may pass an order—

(a) framing the issues between the parties in accordance with Order XIV of the Code of Civil Procedure, 1908 5 of 1908. after examining pleadings, documents and documents produced before it, and on examination conducted by the Court under Rule 2 of Order X, if required;

(b) listing witnesses to be examined by the parties;

(c) fixing the date by which affidavit of evidence to be filed by parties;

(d) fixing the dates on which evidence of the witnesses of the parties to be recorded;

(e) fixing the date by which written arguments are to be filed before the Court by the parties;

(f) fixing the date on which oral arguments are to be heard by the Court; and

(g) setting time limits for parties and/or their advocates to address oral arguments.

3. *Time limit for the completion of a trial.*— In fixing dates or setting time limits for the purposes of Rule 2 of this Order, the Court shall ensure that the arguments are closed not later than six months from the date of the first case management hearing.

4. *Recording of oral evidence on a day-to-day basis.*— The Court shall, as far as possible, ensure that the recording of evidence shall be carried on, on a day-to-day basis until the cross-examination of all the witnesses is complete.

5. *Case Management Hearings during a trial.*— The Court may, if necessary, also hold Case Management Hearings anytime during the trial to issue appropriate orders so as to ensure adherence by the parties to the dates fixed under Rule 2 and facilitate speedy disposal of the suit.

6. *Powers of the Court in a Case Management Hearing.*— (1) In any Case Management Hearing held under this Order, the Court shall have the power to—

(a) prior to the framing of issues, hear and decide any pending application filed by the parties under Order XIII A;

(b) direct parties to file compilations of documents or pleadings relevant and necessary for framing issues;

(c) extend or shorten the time for compliance with any practice, direction or Court order if it finds sufficient reason to do so;

(d) adjourn or bring forward a hearing if it finds sufficient reason to do so;

(e) direct a party to attend the Court for the purposes of examination under Rule 2 of Order X;

(f) consolidate proceedings;

(g) strike off the name of any witness or evidence that it deems irrelevant to the issues framed;

(h) direct a separate trial of any issue;

(i) decide the order in which issues are to be tried;

(j) exclude an issue from consideration;

(k) dismiss or give judgment on a claim after a decision on a preliminary issue;

(l) direct that evidence be recorded by a Commission where necessary in accordance with Order XXVI;

(m) reject any affidavit of evidence filed by the parties for containing irrelevant, inadmissible or argumentative material;

(n) strike off any parts of the affidavit of evidence filed by the parties containing irrelevant, inadmissible or argumentative material;

(o) delegate the recording of evidence to such authority appointed by the Court for this purpose;

(p) pass any order relating to the monitoring of recording the evidence by a commission or any other authority;

(q) order any party to file and exchange a costs budget;

(r) issue directions or pass any order for the purpose of managing the case and furthering the overriding objective of ensuring the efficient disposal of the suit.

(2) When the Court passes an order in exercise of its powers under this Order, it may—

(a) make it subject to conditions, including a condition to pay a sum of money into Court; and

(b) specify the consequence of failure to comply with the order or a condition.

(3) While fixing the date for a Case Management Hearing, the Court may direct that the parties also be present for such case management hearing, if it is of the view that there is a possibility of settlement between the parties.

7. *Adjournment of Case Management Hearing.*—

(1) The Court shall not adjourn the Case Management Hearing for the sole reason that the advocate appearing on behalf of a party is not present:

Provided that an adjournment of the hearing is sought in advance by moving an application, the Court may adjourn the hearing to another date upon the payment of such costs as the Court deems fit, by the party moving such application.

(2) Notwithstanding anything contained in this Rule, if the Court is satisfied that there is a justified reason for the absence of the advocate, it may adjourn the hearing to another date upon such terms and conditions it deems fit.

8. *Consequences of non-compliance with orders.*— Where any party fails to comply with the order of the Court passed in a Case

Management Hearing, the Court shall have the power to—

(a) condone such non-compliance by payment of costs to the Court;

(b) foreclose the non-compliant party's right to file affidavits, conduct cross-examination of witnesses, file written submissions, address oral arguments or make further arguments in the trial, as the case may be, or

(c) dismiss the plaint or allow the suit where such non-compliance is wilful, repeated and the imposition of costs is not adequate to ensure compliance.”.

8. *Amendment of Order XVIII.*— In Order XVIII of the Code, in Rule 2, for sub-rules (3A), (3B), (3C), (3D), (3E) and (3F), the following shall be substituted, namely:—

“(3A) A party shall, within four weeks prior to commencing the oral arguments, submit concisely and under distinct headings written arguments in support of his case to the Court and such written arguments shall form part of the record.

(3B) The written arguments shall clearly indicate the provisions of the laws being cited in support of the arguments and the citations of judgments being relied upon by the party and include copies of such Judgements being relied upon by the party.

(3C) A copy of such written arguments shall be furnished simultaneously to the opposite party.

(3D) The Court may, if it deems fit, after the conclusion of arguments, permit the parties to file revised written arguments within a period of not more than one week after the date of conclusion of arguments.

(3E) No adjournment shall be granted for the purpose of filing the written arguments unless the Court, for reasons to be recorded in writing, considers it necessary to grant such adjournment.

(3F) It will be open for the Court to limit the time for oral submissions having regard to the nature and complexity of the matter.”.

9. *Amendment of Order XVIII.*— In Order XVIII of the Code, in Rule 4, after sub-rule (1),

the following sub-rules shall be inserted, namely:—

(1A) The affidavits of evidence of all witnesses whose evidence is proposed to be led by a party shall be filed simultaneously by that party at the time directed in the first case management hearing.

(1B) A party shall not lead additional evidence by the affidavit of any witness (including of a witness who has already filed an affidavit) unless sufficient cause is made out in an application for that purpose and an order, giving reasons, permitting such additional affidavit is passed by the Court.

(1C) A party shall however have the right to withdraw any of the affidavits so filed at any time prior to commencement of cross-examination of that witness, without any adverse inference being drawn based on such withdrawal:

Provided that any other party will be entitled to tender as evidence and rely upon any admission made in such withdrawn affidavit.”.

10. *Amendment to Order XIX.*— In Order XIX of the Code, after Rule 3, the following Rules shall be inserted, namely:—

“4. *Court may control evidence.*— (1) The Court may, by directions, regulate the evidence as to issues on which it requires evidence and the manner in which such evidence may be placed before the Court.

(2) The Court may, in its discretion and for reasons to be recorded in writing, exclude evidence that would otherwise be produced by the parties.”.

5. *Redacting or rejecting evidence.*— A Court may, in its discretion, for reasons to be recorded in writing—

(i) redact or order the redaction of such portions of the affidavit of examination-in-chief as do not, in its view, constitute evidence.

(ii) return or reject an affidavit of examination-in-chief as not constituting admissible evidence.

6. *Format and guidelines of affidavit of evidence.*— An affidavit must comply with the form and requirements set forth below:

(a) such affidavit should be confined to, and should follow the chronological sequence of, the dates and events that are relevant for proving any fact or any other matter dealt with;

(b) where the Court is of the view that an affidavit is a mere reproduction of the pleadings, or contains the legal grounds of any party's case, the Court may, by order, strike out the affidavit or such parts of the affidavit, as it deems fit and proper;

(c) each paragraph of an affidavit should, as far as possible, be confined to a distinct portion of the subject;

(d) an affidavit shall state—

(i) which of the statements in it are made from the deponent's own knowledge and which are matters of information or belief; and

(ii) the source for any matters of information or belief.

(e) an affidavit should—

(i) have the pages numbered consecutively as a separate document (or as one of several documents contained in a file);

(ii) be divided into numbered paragraphs;

(iii) have all numbers, including dates, expressed in figures; and

(iv) if any of the documents referred to in the body of the affidavit are annexed to the affidavit or any other pleadings, give the annexures and page numbers of such documents that are relied upon.”.

11. *Amendment of Order XX.*— In Order XX of the Code, for Rule 1, the following Rule shall be substituted, namely:—

“(1) The Commercial Court, Commercial Division, or Commercial Appellate Division, as the case may be, shall, within ninety days of the conclusion of arguments, pronounce judgment and copies thereof shall be issued to all the parties to the dispute through electronic mail or otherwise.”.

APPENDIX

Statement of Truth

(Under First Schedule, Order VI-Rule 15A and Order X-Rule 1)

STATEMENT OF TRUTH BY [party position and name of party in full] I, the deponent above-named, do hereby solemnly affirm and declare as under:

1. I am [name of party and relevant details] in the above suit and competent to swear this affidavit.

2. I am sufficiently conversant with the facts of the case and have also examined all relevant documents and records in relation thereto.

3. I say that the statements made in [mention specific paragraph numbers] paragraphs are true to my knowledge and statements made in [mention specific paragraph numbers] paragraphs are based on information received which I believe to be correct and statements made in [mention specific paragraph numbers] are based on legal advice.

4. I say that there is no false statement or concealment of any material fact, document or record and I have included information that is according to me, relevant for the present suit.

5. I say that that all documents in my power, possession, control or custody, pertaining to the facts and circumstances of the proceedings initiated by me have been disclosed and copies thereof annexed with the plaint, and that I do not have any other documents in my power, possession, control or custody.

6. I say that the above-mentioned pleading comprises of a total of [number of pages] pages, each of which has been signed by me.

7. I state that the Annexures hereto are true copies of the documents referred to and relied upon by me.

8. I say that I am aware that for any false statement or concealment, I shall be liable for action taken against me under the law.

Place:

Date:

VERIFICATION

The statements made above are true to my knowledge.

Verified at [place] on this [date]

DEPONENT

PRANAB MUKHERJEE,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

Department of Personnel

—

Notification

1/9/2013-PER (P.F.)

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 to regulate the recruitment to the Group 'C', Non-Gazetted, Non-Ministerial posts, in the Office of the Director General of Police, Government of Goa, namely:-

1. *Short title, application and commencement.*— (1) These rules may be called the Government of Goa, Office of the Director General of Police, Group 'C', Non-Gazetted, Non-Ministerial posts, Recruitment Rules, 2016.

(2) They shall apply to the posts specified in column (2) of the Schedule to these rules (hereinafter 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 scale of pay.*— The number of posts, classification of the said posts and the scale of pay attached thereto shall be as specified in columns (3) to (5) of the said Schedule:

Provided that the Government may vary the number of posts specified in column (3) 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 (6) to (14) 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, 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 reservations, 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. These rules are issued in supersession of the existing Recruitment Rules,—

(i) for the post of 'Assistant Sub-Inspector (Cipher)', 'Head Constable (Cipher)' and 'Head Constable (Engine Mechanic)', published vide Notification No. 1/29/86-PER dated 19-09-1986, in the Official Gazette, Series I No. 30, dated 23-10-1986; and

(ii) for the post of 'Assistant Sub-Inspector (Engine Mechanic)', published vide Notification No. 1/26/76-PER (Vol. V) dated 23-03-1984, in the Official Gazette, Series I No. 2, dated 12-04-1984.

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

Yetindra M. Maralkar, Additional Secretary
(Personnel).

Porvorim, 24th February, 2016.

SCHEDULE

Serial No.	Name/Designation of the post	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	8	9	10	11	12	13	14
							Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees			Method of recruitment, whether by direct recruitment 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/transfer grades from, which promotion/deputation/transfer is to be made	If a D.P.C./D.S.C. exists, what is its composition	Circumstances in which the Goa Public Service Commission is to be consulted in making recruitment	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
1.	Assistant Sub-Inspector (Cipher).	03 (2016)	Group 'C', Non-Gazetted, Non-Ministerial.	PB-1 Rs. 5,200-20,200 + Grade Pay Rs. 2,400/-.	Selection.	N. A.	N. A.	N. A.	Two years.	By promotion, failing which, by transfer on deputation.	Promotion: Head Constable (Cipher) with five years regular service in the grade and p o s e s s i n g Certificate of Cipher Operator Grade-II Examination, conducted by the Directorate of Co-ordination (Police Wire-less).	Group 'C', D.P.C.	N. A.	
											Transfer on deputation:			
											Official holding analogous post in the State/Central Government/Union Territories.			
											(Period of deputation shall ordinarily not exceed three years).			

1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
2. Assis- tant Sub- -Inspector (Engine Me- chanic).	01 (2016) (Subject to variation depend- ent on workload).	Group 'C', Non- -Gaze- tted, Non- -Minis- terial.	PB-1 Rs. 5,200- -20,200 + Grade Pay Rs. 2,400/-.	Not exceed- ing 30 years (Relaxable for Govern- ment ser- vants upto five years in accordance with the In- structions or orders is- sued by the G o v e r n - ment from time to time).	N. A.	Essential: (1) Se- condary School Certificate Exami- nation from a recognised Board. (2) I.T.I. Certificate in Diesel Me- chanic trade from a recognized Insti- tution. (3) Minimum one year experience in the field. (4) Knowledge of Konkani.	Age: No. Educa- tional quali- fica- tions: To the extent indi- cated in col- umn (12).	Two years for direct recruits.	By promotion, failing which, by direct recruitment.	Promotion: Head Constable (Engine Mechanic) with five years regular service in the grade and possessing I.T.I. Certificate in Diesel/ /Petrol Mechanic of a recognized Insti- tution.	Group 'C', D.P.C./ /D.S.C.	N. A.		
3. Head Constable (Cipher).	03 (2016) (Subject to variation depend- ent on workload).	Group 'C', Non- -Gaze- tted, Non- -Minis- terial.	PB-1 Rs. 5,200- -20,200 + Grade Pay Rs. 2,000/-.	Selec- tion.	N. A.	N. A.	N. A.	N. A.	Two years (Subject to passing basic Cipher course conducted by Depart- ment of Co- -ordination (Police Wireless).	By promotion, failing which, by transfer/ /deputation.	Promotion: Group 'D' employees of the Wireless Branch of the Depart- ment with six years regular service in the grade and having proficiency in Eng- lish. Transfer: Head Cons- table (Radio Tele- phony Operator) having proficiency in English Deputation: Official holding analogous post in the State/ /Central Govern- m e n t / U n i o n Territories. (Period of deputation shall ordinarily not exceed three years).	Group 'C', D.P.C.	N. A.	

1	2	3	4	5	6	7	7(a)	8	9	10	11	12	13	14
4.	Head Constable (Engine Mechanic).	01 (Subject to variation dependent on workload).	Group 'C', Non-Gazetted, Non-Ministerial.	PB-1 Rs. 5,200-20,200 + Grade Pay Rs. 2,000/-.	Selection.	Not exceeding 30 years (Relaxable for Government servants upto five years in accordance with the instructions or orders issued by the Government from time to time).	N. A.	Essential: (1) Secondary School Certificate Examination from a recognised Board. (2) I.T.I. Certificate in Diesel Mechanic trade from a recognized Institution. (3) Knowledge of Konkani. Desirable: Knowledge of Marathi.	No.	Two years.	By promotion, failing which, by transfer on deputation, failing both, by direct recruitment.	Promotion: Group 'D' employees of the Wireless Branch of the Department with six years regular service in the grade and having practical knowledge in maintenance/repairs of small diesel/petrol engines. Transfer on deputation: Official holding analogous post in the State / Central Government/Union Territories. (Period of deputation shall ordinarily not exceed three years).	Group 'C', D.P.C./D.S.C.	N. A.

Department of Social Welfare

Directorate of Social Welfare

Notification

50-326-98-99-HC/PART/8001

In exercise of the powers conferred by sub-sections (1) and (2) of section 73 read with sub-section (3) of section 60 of the Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act 1 of 1996), the Government of Goa hereby makes the following rules so as to further amend the Goa Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Rules, 1997, namely:—

1. *Short title and commencement.*— (1) These Rules may be called the Goa Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Rules, 2016.

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

2. *Substitution of rule 46 of the Goa Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Rules, 1997, the following rule shall be substituted, namely:—*

(1) The Commissioner shall be entitled to a consolidated salary of Rs. 25000/- per month.

(2) The Commissioner shall be provided with vehicle with a ceiling of 200 litres of Petrol/ Diesel per month.

(3) The Commissioner shall be provided with one telephone each at his office and his residence without STD.

(4) The Commissioner shall be entitled for such travelling allowance and daily allowances on official tour as are admissible to Grade I Officers of the Government.

(5) The Commissioner shall be provided maximum of 4 personnel staff as under:—

Driver-1, Peon/attendent-1, Personnel Assistant-1, Personnel Secretary-1.

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

Meena H. Naik Goltekar, Director & ex officio Joint Secretary (Social Welfare).

Panaji, 26th February, 2016.



Department of Women & Child Development

Directorate of Women & Child Development

—
Notification

2-280-SL-2012-DW&CD/Part file/2461

Read: (1) Notification No. 2-280-SL-2012-DW&CD/4291 dated 1-10-2012;

(2) Amendment Notification No. 2-280-SL-2012/DW&CD/Part file/362 dated 14-7-2015.

In exercise of the powers conferred under proviso of clause 7 of the Griha Aadhar Scheme notified in the Official Gazette vide above notifications, the Government hereby further amends the said scheme as herein under:—

In sub-clause (d) of clause 4, the figure and word “1,40,000 Nos.” shall be deleted and substituted with the figure and word “1,50,000 Nos.”.

This issues with the approval of the Government vide U. O. No. 019/F dated 14-1-2016.

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

Shilpa Shinde, IAS, Director & ex officio Joint Secretary (W&CD).

Panaji, 1st March, 2016.

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