

# OFFICIAL GAZETTE



# GOVERNMENT OF GOA

Note: There are two Extraordinary issues to the Official Gazette Series I No. 11 dated 10-6-2004 namely, as follows:—

- (1) Extraordinary dated 11-6-2004 from pages 291 to 292 regarding Proclamation from Department of Industries.
- (2) Extraordinary (No. 2) dated 15-6-2004 from pages 293 to 294 regarding Notification from Department of Urban Development (Directorate of Municipal Administration).

## GOVERNMENT OF GOA

Department of General Administration

### Notification

23/1/87-GA&C(Vol. I)

In exercise of the powers conferred by Article 166 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Goa, hereby makes the following rules, so as to further amend the Business of the Government of Goa (Allocation) Rules, 1987, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Business of the Government of Goa (Allocation) (Eighteenth Amendment) Rules, 2004.

(2) They shall come into force at once.

2. *Amendment of Schedule.*— In the Business of the Government of Goa (Allocation) Rules, 1987, in the Schedule at serial number 45, under the heading "Department of Vigilance", after item (i), the following item shall be inserted, namely:—

"(j) Establishment matter and investigation of cases by Anti Corruption Branch"

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

B. S. Kudalkar, Under Secretary (GA).

Panaji, 1st June, 2003.

Department of Information

### Notification

DI/INF/RGH.INF.BILL/(3)/97/736

Read: Govt. Notification No. DI/INF/Rgh.Inf.Bill/ / (3)/97 dated 23-2-1998.

In exercise of the powers conferred by Clause (a) of Section 2 of the Goa Right to Information Act, 1997 (Goa Act No. 28 of 1997) (Hereinafter called the "said Act") the Government of Goa amends the Government Notification No. DI/INF/Rgh.Inf.Bill/(3)/97 dated 23-2-1998 published in the Official Gazette Series I, No. 49 dated 5-3-1998 (hereinafter called the "said notification") as follows:—

In the scheduled to the said Notification after entry No. 127, the following entry shall be inserted, namely:—

(128) The Managing Director, Goa State Infrastructure Development Corporation Ltd.

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

Dilip Deshpande, Director, Information & Publicity & ex officio Jt. Secretary.

Panaji, 7th June, 2004.

Department of Law & Judiciary

Legal Affairs Division

### Notification

10/3/2003-LA

The Fiscal Responsibility and Budget-Management Act, 2003 (Central Act No. 39 of

2003), which has been passed by the Parliament and assented to by the President of India on 26-8-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 26-8-2003, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 19th February, 2004.

THE FISCAL RESPONSIBILITY AND BUDGET  
MANAGEMENT ACT, 2003

AN

ACT

*to Provide for the responsibility of the Central Government to ensure inter-generational equity in fiscal management and long-term macro-economic stability by achieving sufficient revenue surplus and removing fiscal impediments in the effective conduct of monetary policy and prudential debt management consistent with fiscal sustainability through limits on the Central Government borrowings, debt and deficits, greater transparency in fiscal operations of the Central Government and conducting fiscal policy in a medium-term framework and for matters connected therewith or incidental thereto.*

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

1. *Short title, extent and commencement.*— (1) This Act may be called the Fiscal Responsibility and Budget Management Act, 2003.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf.

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

(a) "fiscal deficit" means the excess of total disbursements, from the Consolidated Fund of India, excluding repayment of debt, over total receipts into the Fund (excluding the debt receipts), during a financial year;

(b) "fiscal indicators" means the measures such as numerical ceilings and proportions to gross domestic product, as may be prescribed,

for evaluation of the fiscal position of the Central Government;

(c) "prescribed" means prescribed by rules made under this Act;

(d) "Reserve Bank" means the Reserve Bank of India constituted under sub-section (1) of section 3 of the Reserve Bank of India Act, 1934; 2 of 1934.

(e) "revenue deficit" means the difference between revenue expenditure and revenue receipts which indicates increase in liabilities of the Central Government without corresponding increase in assets of that Government;

(f) "total liabilities" means the liabilities under the Consolidated Fund of India and the public account of India.

3. *Fiscal policy statements to be laid before Parliament.*— (1) The Central Government shall lay in each financial year before both Houses of Parliament the following statements of fiscal policy along with the annual financial statement and demands for grants, namely:—

(a) the Medium-term Fiscal Policy Statement;

(b) the Fiscal Policy Strategy Statement;

(c) the Macro-economic Framework Statement.

(2) The Medium-term Fiscal Policy Statement shall set forth a three-year rolling target for prescribed fiscal indicators with specification of underlying assumptions.

(3) In particular, and without prejudice to the provisions contained in sub-section (2), the Medium-term Fiscal Policy Statement shall include an assessment of sustainability relating to—

(i) the balance between revenue receipts and revenue expenditures;

(ii) the use of capital receipts including market borrowings for generating productive assets.

(4) The Fiscal Policy Strategy Statement shall, *inter alia*, contain—

(a) the policies of the Central Government for the ensuing financial year relating to taxation, expenditure, market borrowings and other

liabilities, lending and investments, pricing of administered goods and services, securities and description of other activities such as underwriting and guarantees which have potential budgetary implications;

(b) the strategic priorities of the Central Government for the ensuing financial year in the fiscal area;

(c) the key fiscal measures and rationale for any major deviation in fiscal measures pertaining to taxation, subsidy, expenditure, administered pricing and borrowings;

(d) an evaluation as to how the current policies of the Central Government are in conformity with the fiscal management principles set out in section 4 and the objectives set out in the Medium-term Fiscal Policy Statement.

(5) The Macro-economic Framework Statement shall contain an assessment of the growth prospects of the economy with specification of underlying assumptions.

(6) In particular, and without prejudice to the generality of the foregoing provisions, the Macro-economic Framework Statement shall contain an assessment relating to—

(a) the growth in the gross domestic product;

(b) the fiscal balance of the Union Government as reflected in the revenue balance and gross fiscal balance;

(c) the external sector balance of the economy as reflected in the current account balance of the balance of payments.

(7) The Medium-term Fiscal Policy Statement, the Fiscal Policy Strategy Statement and the Macro-economic Framework Statement referred to in sub-section (1) shall be in such form as may be prescribed.

**4. Fiscal management principles.—** (1) The Central Government shall take appropriate measures to reduce the fiscal deficit and revenue deficit so as to eliminate revenue deficit by the 31st March, 2008 and thereafter build up adequate revenue surplus.

(2) The Central Government shall, by rules made by it, specify—

(a) the annual targets for reduction of fiscal deficit and revenue deficit during the period beginning with the commencement of this Act and ending on the 31st March, 2008;

(b) The annual targets of assuming contingent liabilities in the form of guarantees and the total liabilities as a percentage of gross domestic product;

Provided that the revenue deficit and fiscal deficit may exceed such targets due to ground or grounds of national security or national calamity or such other exceptional grounds as the Central Government may specify:

Provided further that the ground or grounds specified in the first proviso shall be placed before both Houses of Parliament, as soon as may be, after such deficit amount exceed the aforesaid targets.

**5. Borrowing from Reserve Bank.—** (1) The Central Government shall not borrow from the Reserve Bank.

(2) Notwithstanding anything contained in sub-section (1), the Central Government may borrow from the Reserve Bank by way of advances to meet temporary excess of cash disbursement over cash receipts during any financial year in accordance with the agreements which may be entered into by that Government with the Reserve Bank:

Provided that any advances made by the Reserve Bank to meet temporary excess cash disbursement over cash receipts in any financial year shall be repayable in accordance with the provisions contained in sub-section (5) of section 17 of the Reserve Bank of India Act, 1934.

2 of 1934.

(3) Notwithstanding anything contained in sub-section (1), the Reserve Bank may subscribe to the primary issues of the Central Government securities during the financial year beginning on the 1st day of April, 2003 and subsequent two financial years:

Provided that the Reserve Bank may subscribe, on or after the period specified in this sub-section, to the primary issues of the Central Government securities due to ground or grounds specified in the first proviso to sub-section (2) of section 4.

(4) Notwithstanding anything contained in sub-section (1), the Reserve Bank may buy and sell the Central Government securities in the secondary market.

**6. Measures for fiscal transparency.—** (1) The Central Government shall take suitable measures to ensure greater transparency in its fiscal operations in the public interest and minimise as far as practicable, secrecy in the preparation of the annual financial statement and demands for grants.

(2) In particular, and without prejudice to the generality of the foregoing provision, the Central Government shall, at the time of presentation of annual financial statement and demands for grants, make such disclosures and in such form as may be prescribed.

**7. Measures to enforce compliance.—** (1) The Minister-in-charge of the Ministry of Finance shall review, every quarter, the trends in receipts and expenditure in relation to the budget and place before both Houses of Parliament the outcome of such reviews.

(2) Whenever there is either shortfall in revenue or excess of expenditure over the pre-specified levels mentioned in the Fiscal Policy Strategy statement and the rules made under this Act during any period in a financial year, the Central Government shall take appropriate measures for increasing revenue or for redacting the expenditure (including curtailing of the sums authorised to be paid and applied from and out of the Consolidated Fund of India under any Act so as to provide for the appropriation of such sums):

Provided that nothing in this sub-section shall apply to the expenditure charged on the Consolidated Fund of India under clause (3) of article 112 of the Constitution or to any other expenditure which is required to be incurred under any agreement or contract or such other expenditure which cannot be postponed or curtailed.

(3) (a) Except as provided under this Act, no deviation in meeting the obligations cast on the Central Government under this Act, shall be permissible without approval of Parliament.

(b) Where owing to unforeseen circumstances, any deviation is made in meeting the obligations

cast on the Central Government under this Act, the Minister-in-charge of the Ministry of Finance shall make a statement in both Houses of Parliament explaining—

(i) any deviation in meeting the obligations cast on the Central Government under this Act;

(ii) Whether such deviation is substantial and relates to the actual or the potential budgetary outcomes; and

(iii) the remedial measures the Central Government proposes to take.

**8. Power to make rules.—** (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

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

(a) the annual targets to be specified under sub-section (2) of section 4;

(b) the fiscal indicators to be prescribed for the purpose of sub-section (2) of section 3;

(c) the forms of the Medium-term Fiscal Policy Statement, Fiscal Policy Strategy Statement and Macro-economic Frame Work Statement referred to in sub-section (7) of section 3;

(d) the disclosures and form in which such disclosures shall be made under sub-section (2) of section 6;

(e) any other matter which is required to be, or may be, prescribed.

**9. Rules to be laid before each House of Parliament.—** Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the

case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

10. *Protection of action taken in good faith.*— No suit, prosecution or other legal proceedings shall lie against the Central Government or any other officer of the Central Government for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

11. *Jurisdiction of civil courts barred.*— No civil court shall have jurisdiction to question the legality of any action taken by, or any decision of, the Central Government, under this Act.

12. *Application of other laws not barred.*— The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.

13. *Power to remove difficulties.*— (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.

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

#### Notification

10/3/2003-LA

The National Bank for Agriculture and Rural Development (Amendment) Act, 2003 (Central Act No. 48 of 2003), which has been passed by the Parliament and assented to by the President of India on 19-9-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 19-9-2003, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 19th February, 2004.

## THE NATIONAL BANK FOR AGRICULTURE AND RURAL DEVELOPMENT (AMENDMENT) ACT, 2003

AN

ACT

further to amend the National Bank for Agriculture and Rural Development Act, 1981.

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

1. *Short title.*— This Act may be called the National Bank for Agriculture and Rural Development (Amendment) Act, 2003.

2. *Amendment of section 21.*— In section 21 of the National Bank for Agriculture and Rural Development Act, 1981 (hereinafter referred to as the principal Act),—

(a) in sub-section (1), in the opening portion, for the words "to State co-operative banks", the words "to State co-operative banks, central co-operative banks" shall be substituted;

(b) in sub-section (3), in clause (a), for the words "to any State co-operative bank", the words "to any State co-operative bank or central co-operative bank" shall be substituted.

3. *Substitution of new section for section 22.*— For section 22 of the principal Act, the following section shall be substituted, namely:—

"22. *Conversion loan for production credit.*— Where the National Bank is satisfied that owing to drought, famine or other natural calamities, military operations or enemy action, any State co-operative bank, central co-operative bank, regional rural bank or any such financial institution or any financial institution falling under any such class of financial institutions, as may be approved by the Reserve Bank in this behalf, requires assistance under this section, it may provide to such bank or institution such financial assistance as it may deem fit by way of making loans and advances repayable on the expiry of fixed periods not exceeding seven years and on such terms and conditions as may be specified in this behalf by the National Bank:

Provided that loans and advances may be made under this section only for the purpose of enabling the borrowing bank or institution,—

(a) to pay any dues to the National Bank for credit expended for financing agricultural operations or the marketing of crops under clause (i) of sub-section (1) of section 21, or

(b) (i) to make loans or advances to central co-operative banks or primary rural credit societies in cases where the borrowing bank is a State co-operative bank, and

(ii) to make loans and advances to primary rural credit societies in cases where the borrowing bank is a central co-operative bank,

and such loans or advances in both the cases being repayable on the expiry of fixed periods not being less than eighteen months and not exceeding seven years, by way of reimbursement of loans and advances made by such co-operative banks or societies for agriculture or agricultural operations or for reimbursement of such loans or advances which have been converted into loans or advances repayable on expiry of fixed periods not being less than eighteen months and not exceeding seven years from the date of conversion:

Provided further that no loan or advance shall be made under this section to a State co-operative bank or a central co-operative bank unless such loan or advance is fully guaranteed as to the repayment of the principal and payment of interest, by the State Government."

## Department of Personnel

### Notification

1/31/74-PER (Vol. II) (Pt. file. I)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'C', non-Ministerial, Non-Gazetted post in the Goa Medical College, Government of Goa, namely:—

#### 1. Short title, application and commencement.—

(1) These rules may be called the Government of Goa, Goa Medical College, Group 'C', Non-Ministerial, Non-Gazetted post, Recruitment Rules, 2004.

(2) They shall apply to the posts specified in column (1) 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 post and the scale of pay attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

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

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

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

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

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

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

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

D. M. Borkar, Officer on Special Duty (PETS).

Panaji, 9th June, 2004.

SCHEDULE

Name/ /Designation of the post	No. of posts	Classifi- cation	Scale of pay	Whether selection post or non- -selec- -tion post	Age limit for direct recruits	Whether the benefit of added year of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of proba- tion, if any	Method of recruitment, whether by direct or by promotion or by deputation/ /transfer/ /contract and percent- -age of the vacancies to be filled by various methods	In case of recruit- ment by promotion /deputation/ transfer, grades from which promotion/ /deputation/ transfer is to be made	If a D. P. C. exists, what is its compo- sition	Circum- stances in which Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Dialysis Techni- cian.	4 (2004)	Goa General Service, Group 'C', Non- Ministe- rial, Non- Gaze- tted.	Rs. 4500- 125- 7000.	N.A.	Not exceed- ing 40 years (Relaxable for Govern- ment Ser- vants upto 5 years in accordance with the instructions or orders issued by the Govern- ment).	N. A.	<p><i>Essential:</i></p> <p>(1) Graduate in Science possessing Post Graduate Diploma in Clinical Genetics &amp; Medical Laboratory Techniques, (PGDCG&amp;MLT).</p> <p>(2) Knowledge of Konkani.</p> <p><i>Note:</i> The candidate appointed will be subjected to in service short crash training course in Dialysis Technology in any recognised Institution.</p> <p><i>Desirable:</i></p> <p>(1) 2 years Diploma in Dialysis Technology.</p> <p>(2) Knowledge of Marathi.</p>	N. A.	2 years.	By direct recruitment.	N. A.	Group 'C' D. P. C.	N. A.