



GOVERNMENT OF GOA

CITIZENS' CHARTER

OFFICE OF ADMINISTRATIVE TRIBUNAL , PANAJI - GOA.

Preamble:

In order to raise the quality, extend accountability and carry out the services effectively and courteously, Citizens' Charter for the Office of the Administrative Tribunal, has been prepared.

The Charter seeks to provide a framework which enables our users to know:

1. Services provided in the Administrative Tribunal.
2. Redressal of public grievances in regards to services provided by the Administrative Tribunal.

Thus the main principles behind the Charter are to ensure transparency, public participation and accountability, as also quality, besides information choice and redressal machinery wherever possible.

Introduction.

The Administrative Tribunal established by Decree no.4627 dated 1.7.1918 and reconstituted under the Goa, Daman and Diu Tribunal Act, 1965, has very important role to play in the field of Judicial services having Jurisdiction for whole State of Goa.

The Administrative Tribunal has been vested with Original/Appellate and Revisional Jurisdiction under the different old and new local Acts and Rules, such as Reforma Administrative Ultramarine, Devasthan Regulation (Regulamento das Mazanias), Code of Comunidades (Legislative Diploma No. 2070 dated 15.4.1961), Goa Municipalities Act, Sales Tax Act, Tenancy Act, Mundkar Act etc. (see Annexure)

The Administrative Tribunal functions and discharges the duties entrusted to it by or under these Act and Rules or any other Law for the time being in force. Till 1995, the Administrative Tribunal was constituted of Chairman and Members. In 1996, the Tribunal was reconstituted with a President alone to ensure speedy disposal of cases. Further, by virtue of "The Goa Administrative Tribunal (Amendment) Act, 2001" , it has been provided that the Administrative Tribunal shall consist of a President and Additional President, Class 'A' officers, both of whom shall be appointed by the State Government after prior consultation with the High Court exercising jurisdiction over the entire State of Goa. Both the President and Addl. President shall have co-extensive powers and concurrent jurisdiction to deal with the cases filed before the Tribunal. The President of the Administrative Tribunal is also functioning as President of the Cooperative Tribunal, Presiding Officer of Municipalities Appellate Tribunal and Chairperson of the Goa Real Estate Appellate Tribunal. The Tribunal shall in

exercising its original, appellate or revisional jurisdiction in any application, petition, appeal or other proceedings filed before it, have all the powers which are vested in a Civil Court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

Regarding Gazetted officer:-

1. President
2. Additional President

Regarding Non-Gazetted staff:-

The staff strength of the Administrative Tribunal is of 24 (Twenty Four) members i.e., the Registrar -1, 2-Head Clerks, 4-Upper Division Clerks, 6-Lower Division Clerks , 2-Jr. Stenographers ,2- Drivers , 2-Bailiffs and 4 –MTS, Sweeper - 1. The Working days are 5 (five) days in a week and working hours – 9.30 a.m. to 1.15 p.m. and 2.00 p.m. to 5.45 p.m. with lunch break of 45 minutes from 1.15 to 2.00 p.m. (Saturday & Sunday closed)

Location:-

Presently, the Administrative Tribunal is housed in a private premises of Dr.(Mrs) Nirmala Sharad Vaidya, Vaidya Hospital Bldg., 2nd & 3rd Floor, Near Municipal Market Complex, Panaji- Goa, 403001.

Office Phone Nos. are President :- 2421974, Fax:- 242197

Addl. President ---

Registrar:- 2225320

Email Id: reg-tribunal.goa@gov.in

Officers Under Right to Information Act, 2005 for Office of Administrative Tribunal:- 1st Appellate Authority, President, Administrative Tribunal.

Public Information Officer:- Registrar, Administrative Tribunal.

Asstt. Public Information Officer:- Senior Head Clerk, Administrative Tribunal.

Redressal of Public Grievances:-

Incase of any difficulty the Litigants/Public in general shall contact:- The Registrar, Administrative Tribunal, Panaji. In the absence of Registrar, contact Head Clerk.

1. General Information about Appeal /Revision/Petition before the

Administrative Tribunal:- Every Appeal/Revision/Petition against the Judgment/ Order challenged, shall be presented in the form of memorandum to the Administrative Tribunal by the affected/aggrieved party/duly authorized agent/pleader and shall be accompanied by original/Certified copy of the order challenged, unless otherwise dispensed with.

2. The Memorandum of Appeal/Revision shall be:-

- (i) In writing;
- (ii) Indicate the name and address of the Appellant/Applicant/Respondent.
- (iii) Specify the Act & the Section under which it is filed;
- (iv) Contain clear statement of facts and specific grounds of Appeal/Revisions;
- (v) State precisely and in brief the relief prayed for;
- (vi) Signed by the Appellant/Applicant/Authorized Agent/Pleader;
- (vii) Be affixed with the prescribed Court fee stamp and be presented within the specified limitation period (as per annexure); However , Court Fee is exempted when filing is done on behalf of the Government.
- (viii) Copies of Appeals/Revisions be furnished for service on Respondents.
- (ix) All Appeals/Revisions/Petitions are to be filed as per the prescribed procedure provided under the different Acts and Rules unless otherwise specifically dispensed with.

- (x) Should be in conformity with all the provisions of the relevant Act/Rules.
- (xi) Should be within the limitation period as provided in the Act.

3. Miscellaneous Applications are as follows:-

- (a) **Application for Condonation of delay:-** When any case is filed beyond the prescribed limitation period, the Application for Condonation of delay can be filed stating therein the sufficient cause for the delay supported by proper affidavit in that respect sworn by the concerned party/parties.
- (b) **Application for stay of the Order challenged:-** A party can file an application for stay of the order challenged or of any other proceedings before the Lower Court, justifying its stay.
- (c) **Application for Temporary Injunction Ex-parte stay:-** Any party apprehending dispossession/interference of the property, can file application for injunction/Ex-parte stay to restrain the Respondent from dispossessing the Applicant or from interfering with the property.
- (d) **Application for intervention:-** Any person who is not a party in the order challenged but is affected by the said order, can file an application to intervene.
- (e) **Application for bringing heirs/Legal representatives on records:-** During the pendency of the proceedings, if any party dies, an application can be filed to bring heirs/legal representatives of the deceased on record, as otherwise, the proceedings abates. However, such application, should be supported by a Death Certificate of the deceased or by an affidavit.

- (f) **Application for Review of the Order:-** Under Section 10 of Goa Administrative Tribunal Act, if there is any technical mistake or any important point is excluded in the order which is apparent on the face of the record, the affected party can file application for review of the order.
- (g) Any other miscellaneous application arising out of the matters like police protection, Amendment, contempt of Court etc. etc.

All such miscellaneous applications should be filed within the specified limitation period accompanied with other requisite documents, unless otherwise dispensed with under the different Acts and Rules.

Further, for the purpose of any difficulty and as to the limitation period/Court Fee Procedure etc, the same is to be dealt with by following/referring the Civil Procedure Code, Court Fees Act, Limitation Act, 1963, Reforma Administrative Ultramarine and the Administrative Tribunal Act and Rules, 1965.

4. As Regards to affidavit sworn before the Administrative Tribunal:- As per Administrative Tribunal (Affidavits) Rules, 1968, affidavits and affirmations to be used before the Tribunal may be sworn and affirmed before the Registrar of the Tribunal. In the absence of Registrar, be sworn and affirmed before the Head Clerk, and in the absence of both, before the senior most UDC.

5. Copies of documents /Orders:- Any party to a proceeding/case can apply for a certified /xerox copy of documents/orders in/of the said proceedings/Case , on payment of prescribed charges, by filing an application stating the purpose and duly affixed with specified Court Fee of Rs. 20/- Copy is to be collected from the office of the Tribunal on the given date.

Any person/Advocate who is not a party to/on record of a case can apply for a certified copy/xerox copy of the documents/orders by stating the purpose and duly supported by an affidavit sworn in before Competent Authority.

In normal cases, the certified copy if ready, is delivered within 8 days from filing of the application. However in urgent cases, same shall be delivered within 48 hours. The same should be collected by the applicant in person or any other person duly authorized by the Applicant.

Charges for certified copy:- Rupees ten per page or part thereof.

Charges for Photo copy:- Rupees five per page

(Refer.:- E.O Govt. Gaz. No.47 Sr.I dtd. 18/02/2016)

6. Protection for acts done under the different Acts and Rules:- No prosecution or to other legal proceeding shall lie in any court against any Officer/Government Servant of the Tribunal, for anything done in good faith or intended to have done in pursuance of/or under the Acts/Rules.

7. Court fees payable before the Tribunal:- As per Goa Administrative Tribunal Fees (First Amendment) Rules 2016.

Published in :- E.O Govt. Gaz. No.47 Sr.I dtd. 18/02/2016)

In exercise of the powers conferred by section 13 of the Goa Administrative Tribunal Act, 1965 (Act No. 6 of 1965, The Government of Goa hereby makes the following rules so as to amend the Goa, Daman and Diu Administrative Tribunal Fees, 1968, namely:-

- | | |
|--|------------|
| 1. Petition of or memorandum appeal | Rs. 1000/- |
| 2. To bring heirs on record | Rs. 100/- |
| 3. Petition for review | Rs. 1000/- |
| 4. Other petitions or applications to the Tribunal | Rs. 100/- |

8. Act and Rules under which cases are filed before the Tribunal.

Items No.	Title of Act/Rules
1.	The Goa Administrative Tribunal Act & Rules
2.	The Goa Mundkar Act, 1975.
3.	The Goa Agricultural Tenancy Act, 1964.
4.	The Goa Land Revenue Code 1968.
5.	The Goa Value Added Tax Act, 2005. (Sales Tax Act)
6.	The Goa Administration of Evacuee Property Act, 1964.
7.	The Goa Municipalities Act, 1968
8.	The Goa Tax on Luxuries (Hotels and Lodging Houses) Act, 1988
9	The Goa Public Gambling Act, 1976.
10.	The Appeals under Code of Comunidades 1961 & Electoral Appeals under Code of Comunidades.
11.	The Devasthan Regulations 1933 including Electoral Appeal under Devasthan Regulation.
12.	The Goa Barge Tax Act, 1973.
13.	The Goa Irrigation Act, 1973.
14.	The Goa (Brackish Water) Fish Farming Regulation Act, 1991
15.	The Goa Panchayat Raj Act, 1993.
16.	The AIR (Prevention and Control of Pollution) Act, 1981.
17.	The Water (Prevention and Control of Pollution) Act, 1974.
18.	The Goa School Education Act, 1984.
19	The Goa Tax of Entry of Goods Act and Rules 2000.
20	The Goa Public Money (Recovery of Dues)Act 1986
21	The Goa (Abolition of Proprietorships, Titles and Grants of Lands) Act 2014
22	The Goa Entertainment Tax and rules 1964
23	Real Estate (Regulation and Development) Act, 2016

DETAIL STATEMENT SHOWING JURISDICTION
OF
ADMINISTRATIVE TRIBUNAL, UNDER VARIOUS ACTS.

(INCLUDING COURT FEE & LIMITATION PERIOD)

(1)

Appeals and Revision under the Goa Agricultural Tenancy Act, 1964

Section 49 Appeals:- (1) From every order (including an order passed under chapter II-A) other than an interim order passed by the Mamlatdar (or the Tribunal) under this Act, an appeal shall lie to the Collector and the orders of the Collector on such appeal shall be final, subject to revision, if any by (the Administrative Tribunal).

(2) From every original order other than a interim order (...) passed by the Collector (...) an appeal shall lie to the (Administrative Tribunal) and the order of (Administrative Tribunal) on such appeal shall be final.

50.(2) an application for revision may be made to the Administrative Tribunal against any order , other than an interim order of the collector, on the following ground only:-

- (a) That the order of the Collector was contrary to Law;
- (b) That the Collector has failed to determine some material issue of Law; or
- (c) That there was a substantial error in following the procedure provided by this Act, which has resulted in the miscarriage of justice.

Court Fee:- Appeal/Revision = Rs. 05/-

Limitation: 60 days

(2)

Appeals and Revision under the Goa Mundkars (Protection from Eviction) Act, 1975.

Section 24. Appeal: From every original order, other than an interim order, passed by the Mamlatdar or the Collector under this Act, an appeal shall lie to the Collector or the Administrative Tribunal respectively, and the order of the Collector or the Administrative Tribunal, as the case may be, shall subject to revision if any, under Section 25 of this Act, be final.

Section 25. Revision: (1) From every order, other than an interim order, passed in appeal under Section 24 or under sub-section (2), a revision shall lie to the Administrative Tribunal or the Government, respectively and the order of the Administrative Tribunal or the Government, as the case may be, on such revision shall be final.

Court Fee_ : Appeal and Revision Rs. 02/-

Limitation : 60 days.

(3)

Appeals under the Goa, Land Revenue Code, 1968

Section 188. Appeals: (1) Save as otherwise expressly provided, an appeals shall lie from every original order, other than an interim order passed under this code.-

- (a) If such an order is passed by an Officer subordinate to the Sub-Divisional Officer, to the Collector;
 - (b) If such an order is passed by the Sub-Divisional Officer, to the Collector.
 - (c) If such an order is passed by the Collector, to the Tribunal .
- (2) A Second Appeal shall lie against any order passed in First Appeal.

(a) If the first appeal was filed under clause (a) of sub-section(I) to the Collector;

(b) If the first appeal was filed under clause (b) of sub- Section (I), to the Tribunal.

(c) N. A.

Section 2(3) "Tribunal" means the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act 1965, or any other Tribunal constituted by the Government.

Court FeeRs. 1000/-

Limitation 60 days.

(4)

Goa Sales Tax Act 1964.

Appeal and Second Appeals and Reference under the Goa Sales Tax Act.

Section 27 (2A) (a). In the case of an order passed in appeal by the Appellate Authority under sub-section (2), a second appeal shall lie to the Tribunal within sixty days of the date of passing of the order.

Section 27 (2C) in disposing of an appeal, the Tribunal shall have same powers as that of the Appellate Authority under sub-section (2)

Rule 32 To whom appeal should be made . An appeal against an order of assessment or reassessment passed by Appropriate Assessing shall lie to Assistant Commissioner (hereinafter referred to as Appellate Authority) and a Second Appeal against an order passed in appeal shall lie to Tribunal.

Court Fee: Rs 1000/-

Limitation : 60 days.

[Notification No. Fin(Rev)/2-36/PART/1310/70 dtd. 17.7.1970.

The Tribunal is Administrative Tribunal
Constituted under the Goa Administrative Tribunal Act, 1965.]

(5)

Goa Administration of Evacuee Property Act 1964 Appeals

Section 22. Appeals – Any person aggrieved by an order made under Section 5, clause (ii) of sub-section 18, Section 31, or Section 39, by the Custodian may prefer an appeal; in such manner, and within such time, as may be prescribed, to the Tribunal constituted under Section 22 and the decision of the Tribunal shall be final.

Rule 25. (1) All appeals under the Act shall be filed within sixty days of the date of any order to the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965 and the decision of said Tribunal shall be final.

Court Fee : Rs. 1000/-

Limitation : 60 days.

(6)

Municipalities Act, 1968.

Section 184(13) Any person aggrieved by an order of the Chief Officer made under sub-section (8) may prefer an appeal against the order to the Appellate Tribunal within the period specified in the order for the demolition of the Construction or work to which it relates.

Court Fee: Rs 50/-

Stay application: Rs 100/-

Limitation : As specified in the impugned order.

Section 293(2) Any person aggrieved by the Order of the Director passed under Section 293(10), may file an appeal before the Administrative Tribunal within a period of 15 days.

Court fee : 1000/-

Limitation : 15 days

(7)

Disqualification of Councilor During his term of office.

Section 46(4) Any Person aggrieved by the decision of the Director may within a period of fifteen days from the date of receipt of the decision of Director by him; appeal to the Administrative Tribunal and the orders passed by the Administrative Tribunal shall be final.

Court fee : 1000/-

Limitation : 15 days

Section 52(5)

r/w Rule 10 : Any dispute regarding election of the (Chairperson) or (Vice Chairperson) shall be referred to the Administrative Tribunal, whose decision in that behalf shall be final.

Consequences of absence of (Chairperson) or (Vice- Chairperson) without leave.

Section 57(4) Any person aggrieved by the decision of the Director may within a period of fifteen days from the date of Communication of such decision, appeal to the Administrative Tribunal and the decision of the Administrative Tribunal on such appeal shall be final.

The “The Chairpersons” and Vice-Chairperson” have been substituted for the words “President” and Vice-President” by (Amendment) Act, 1993 (Act 13 of 1994) w.f. May 30, 1994.

Rule 10. Dispute regarding Elections.

10(1) Any dispute regarding the election of President or vice President may be referred to the Administrative Tribunal for decision by any councilor feeling aggrieved from result declared under Rule 7.

Rule 10 has been inserted by amendment to the Goa, Daman and Diu Municipalities rule 1969 vide Notification No.3-97-70/LS. 6. PUBLISHED IN Govt. Gaz. No. 10, I Series dtd 3.6.1971.

Court Fee : Appeal Rs. 50/-

Limitation period.....15 days

(8)

The Goa Tax on Luxuries (HOTELS AND LODGING HOUSES) Act 1988 and rules 1988.

Section.33 Appeal, revision and Review- (1) Any Hotelier may in the prescribed manner appeal to the authority as may be prescribed, against any assessment or reassessment within sixty days from the date of communication of the order appealed against.

Section 33(3) (a) In the case of an order passed in appeal by the **r/w rules 30 & 43** appellate authority under sub section (2) a Second Appeal shall lie to the Tribunal within sixty days of the date of passing of the order.

Notification

No. 5/9/88/Fin(R&C)

In exercise of the powers conferred by sub-section (10) of Section 4 of the Goa Tax on Luxuries (Hotels and Loading Houses) Act,1988 (Goa Act 17 of 1988 (hereinafter called the 'said Act'). The Government of Goa hereby confers on the Administrative Tribunal of Goa, Daman and Diu constituted under the Goa, Daman & Diu Administrative Tribunal Act,1965 (Act 6 of 1965). The powers conferred on Tribunal by or under the said Act.

By order and in the name of the Governor of Goa.
Prabha Chandran, Under Secretary (Finance Exp.)
Panaji, 17th December,1991.

(Official Gazette, No. 39.Sr.II dated 26-12-1991)

Court fee : 1000/-

Limitation : 60 days

(9)

The Goa Public Gambling Act, 1976.

Section 7 (1)- If an applicant/licensee is aggrieved by the decision **of the Government, an** appeal shall lie to the Appellate Authority within a period of 30 days **from the receipt of order thereof.**

Section 1 (iii) "Appellate Authority" means the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965 (Act 6 of 1965)

Court Fee : Rs. 1000/-.

Limitation Period 30 days

(10)

Appeals under the Code of Comunidade 1961.

Article 582 Appeal may be lodged to the Administrative Tribunal against every order and decree of the Administrator in the incident of the contestation against the current accounts.

Art. 44 Within 8 days from the date of order.

Art. 44(1) Regarding Court fee.

(11)

Electoral Appeals under Code of Comunidade 1961.

Article 49 In case of irregularities in the election, any component of the Comunidade with right of voting may appeal to the Administrative Tribunal within 5 days, it being allowed the use of ordinary paper for all proceedings.

Only the Administrative Tribunal shall decide the Appeal within 8 days, and, in case the election is annulled, the Comunidade shall convene once again according to formalities contained in Art 47, in order to arrange for the new election in accordance with the Judgment of the Tribunal.

Article 397 The Appeals against the decision of the Comunidade or their managing bodies which are within the powers of the Administrators to judge, for with a special procedure has not been fixed in these bye-laws, will be submitted within ten days from the date on which they become known if the appealing party has taken part in the decision in if of it he is notified and in other cases within fifteen days of the decision.

Article 582 Appeal may be lodged to the Administrative Tribunal against every order and decree of the Administrator in the incident of the contestation against the current accounts.

Article 9: **[Read/w Art.154(3) and Art. 349]** -- The Comunidades should not file any civil suit without the consent of the Administrative Tribunal, except when the suit filed is of preservatory or extinction of the right or any guaranty, in such cases the approval of the Administrator shall suffice.

Article 126: The decisions of the administrator are subject to appeals appointed by law. Court fees are as provided under Administrative Tribunal fees Rules.

Court fee : Rs.1000/-

Limitation Period:- 5 days

(12)

Appeal under Devasthan Regulation 1933.

Article: 248- Against all the deliberations of the Managing Committee it shall be allowed to appeal to the body of members (mazania); against the latter's Resolution to the Administrator ; and against the latter's orders, to the **Administrative, Fiscal and Audit – Tribunal**, except the special cases prescribed under the regulations.

[R/w Art. 685 of the Reforma Administrative Ultramarina]

Court Fee : Rs. 1000/-

Limitation : 90 days.

Article 30(5)- It shall be of the competence of a body of members (mazanias)

To elect every three years the members of the Managing Committee, in the terms prescribed under this Regulation and respective bye-laws.

Para : Against the irregularities and nullities of election, appeal may be filed to the Administrative, Fiscal and Audit – Tribunal within the time limit of 10 days from the act of elections .

Court Fee : Rs. 1000/-

Limitation : 10 days

(13)

Permission to file suit (Devasthan Regulation Act)

Article 7 The institution of law, suits, the transaction, confession or

R/w Art 182 desistence from the request, before the Courts of justice shall require the authorization of the Administrative, Fiscal & Audit Tribunal.

Article 182: When the body of members (mazania) deliberates to institute before a court any legal proceedings, its attorney should state the grounds of its right, in petition with valid reasons, supported by the documents and addressed to the Administrative Fiscal and Audit Tribunal, through and with remarks of the Administrator.

(14)

Maharashtra Co-operative Societies Act, 1960

G.D.D. specified Co-op. Societies Election to Committee Rules, 1978. Goa specified Co-op. Societies Elections to Committee (First Amendment) Rules, 1995.

Section 97 : - Appeal against decision of Registrar or his nominee or board of nominees. Any party aggrieved by any decision of the Registrar or his nominee or board of nominees under the last preceding section, or an order passed under section 95, may within two months from the date of the decision or order, appeal to the Tribunal.

Section 152 (2): (2) an appeal against the order or decision under Section 79,85 and 88, and any order passed by the Registrar for paying compensation to the Society, and any other order for which an appeal to the Tribunal has been provided under this Act, shall lie to the Tribunal.

Appeals u/s 97 & 152 (2) Court fee : Rs.50/-

Limitation: 60 days.

Court fee : For stay application Rs. 100/-

Revision Section 149 (9) : The Tribunal may call for and examine the record of any proceeding in which an appeal lies to it, for the purpose of satisfying itself as to legality or property of any decision of order passed. If in any case, it appears to the Tribunal that any such decision or order should be modified, annulled or reversed, the Tribunal may pass such order thereon as it may deem just.

For Revision Court fee : Rs. 25/-
 Limitation : 60 days
 Court fee : For stay application Rs. 100/-

Election Dispute under Maharashtra Co-operative Societies Act, 1960 as applied to Goa

Section 144 T (1) (2) (89&91): Disputes relating to elections to be referred to The Administrative Tribunal (1) Notwithstanding anything contained in Section 91 or any other provision of this Act, any dispute relating to an election shall be referred to the Administrative Tribunal.

Rules 89 of 1995: The Petitioner shall enclose with the petition a Government Treasury receipts showing that deposit of rupees one thousand or such lesser amount as the Administrative Tribunal may direct has been made by him either in a Government Treasury or in the State Bank of India in favour of the Administrative Tribunal as security for the cost of petition.

RULES 75: Presentation of election petition:- (1) An election petition calling in question any election may be presented by any candidate or any voter within two months from the date of declaration of the result of the election.

Section 149 (2) : The Tribunal shall consist of a President who shall be a person appointed as the President of the Administrative Tribunal under Section 3 of Goa Administrative Tribunal Act.1965 (Act 6 of 1965)

Court fee for Appeals u/s 97 & 152 (2) : Rs.50/-
 Limitation : 60 days.

Court fee for Revisions : Rs. 25/-
 Limitation : 60 days
 Court fee for stay application : Rs. 100/-

(15)

The Goa , Daman and Diu Barge Tax Act 1973 & Rules 1974

Section 14 Appeal – (1) Any person who is aggrieved by any order or direction of the Taxation Authority or any other officer or authority under this Act may file an appeal before the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965, in such manner, within such time and on payment of such fees as may be prescribed.

Court fee: Rs.1000/-

Limitation : 60 days

(16)

The Goa, Irrigation Act 1973 & Rules 1975

Section 30 Appeal – Any person aggrieved by the order of the Collector under section 28 or section 29, may ninety days from the date of communication of the order, prefer an appeal to the Administrative Tribunal established under the Goa, Daman & Diu Administrative Tribunal Act 2965 (6 of 1965).

Court fee = Rs.1000/-

Limitation : 90 days

(17)

Goa (Brackish Water) Fish Farming Regulation Act , 1991

Section 15, Appeal - Any applicant whose application has been rejected or allowed in respect of then whole or any part of the area to which it relates, may, within 60 days of the date or order rejecting or allowing the application, as the case may be , prefer an appeal to the Tribunal under section 6 of the Act.

Court fee : Rs.1000/-

Limitation : 60 days

(18)

The Goa Panchayat Raj Act – 1994 and Rules (Election Petition)

Section 16 : (1) No election to fill a seat in a Panchayat shall be called in question except by an election petition prescribed on one or more of the ground specified in sub-section (1) of Section 20 and section 21 to such authority as may be prescribed, by any candidate at such election or by any voter qualified to vote at such election together with a deposit of one thousand rupees as security for costs, within thirty days from, but not earlier than the date of declaration of the result of the election of the returned candidate at the election and if the date of declaration results of their election are different, the last of these dates.

Rule 3 : Election Petition Authority ----- The President of the Goa Administrative Tribunal shall be the authority to hear the election petition and to decide the same after conducting trial as per the procedure laid down under sections 16 to 25 of the Act.

Court fee: Rs. 1000/-

Deposit for filing Petition Rs.1000/-

Limitation: 30 days

(19)

In the Matter of Election to Goa Zilla Panchayat and in the matter of election Petition under Section 16 of the Goa Panchayat Raj Act 1994 and Rules made there under.

Section 16 (1) No election to fill a seat in a Panchayat shall be called in question except by an election petition prescribed on one or more of the ground specified in sub-section (1) of Section 20 and section 21 to such authority as may be prescribed, by any candidate at such election or by any voter qualified to vote at such election together with a deposit of two thousand rupees as security for costs, within thirty days from, but not earlier than the date of declaration of the result of the election of the returned candidate at the election and if the date of declaration results of their election are different, the last of these dates.

Court fee Rs. 1000/-

Deposit for filing Petition Rs.2000/-

Limitation: 30 days

(20)

The Goa "AIR" (Prevention and Control of Pollution) Appeal Rules 1997

Rule 3: Appeal to be filed by aggrieved persons (1) Every appeal against an order passed by the State Board under Section 21 of the Act shall be filed by the aggrieved persons in Form 'A' if it relates to a matter covered by sub-section (4) and (6) of Section 21.

Court fee: Rs. 1000/-

Deposit of fees for filing appeal Rs.1000/-

Limitation period:- 30 days

NOTIFICATION**5-4-88-STE**

In exercise of the powers conferred by sub-section (1) and (2) of Section 31 of the Air (Prevention and Control Pollution) Act 1981) Central Act 14 of 1981) (hereinafter called the said Act) The Government of Goa hereby constitutes an Appellate Authority consisting of the President of Administrative Tribunal, Goa, for the purpose of the said Act with immediate effect.

By order and in the name of Governor of Goa,
Panaji, 19th March , 1997.

[Published in the official Gazette, Series I No.26 dated 29-9 1997(extraordinary 3)]

Court fee: Rs. 1000/-

Deposit of fees for filing appeal Rs.1000/-

Limitation: 30 days

(21)

The Goa “Water” (Prevention and Control of Pollution) Appeal Rules 1997.

Rule 3: Appeal to be filed by aggrieved persons (1) Every appeal against an order passed by the State Board under Section 25, 26 or 27 of the Act shall be filed by the aggrieved persons in Form ‘A’ if it relates to a matter covered by clause A of sub-section (5) of Section 28 in form (B) if it relates to a matter covered by clause (b) of sub-section (5) of section 28.

A fee of Rs 1000/- only shall be deposited by Appellant to the office of Appellate Authority and the receipt of the same has to be affixed to the Appeal.

NOTIFICATION**5-4-88-STE**

In exercise of the powers conferred by Sub-Section (1) and (2) of Section 28 of the water (Prevention and Control Pollution) Act 1974 Central Act 6 of 1974) (hereinafter called the said Act) and in supersession of the Government notification no.5-4-88-STE dated 13/04/1989 published in the official gazette no. 2. The Government of Goa is pleased to constitute and the Appellate Authority consisting of the president of the Administrative Tribunal of Goa with immediate effect of Goa hereby constitutes an Appellate Authority consisting of the President of Administrative Tribunal, Goa, for the purpose of the said Act with immediate effect.

By order and in the name of Governor of Goa,
Panaji, 19th March , 1997.

[Published in the official Gazette, Series I No.26 dated 29-9-1997(extraordinary 3)

Court fee Rs. 1000/-

Deposit of fees for filing appeal Rs.1000/-

Limitation period:- 30 days

(22)

Goa School Education Act 1984.

Section 22 Appeal: (1) Subject to the provisions of sub-section (2) an appeal shall lie to the Tribunal from the following orders:-

- (a) Refusing to recognize a school under sub-section 5.
- (b) Withdrawing the recognition of a school under sub-section (3) of Section 5;
- (c) Stopping reducing or suspending aid under sub-section (2) of Section 7.
- (d) Refusing to grant permission under sub-section (34) of Section 9;

- (e) Dismissing, removing from service any employee or reducing him in rank or retiring him compulsory or otherwise terminating his services under section (2),(2a), (4) and (4a) as the case may be, of section 11;
- (2) Every such Appeal shall be preferred within thirty days from the date of communication of the order.

Section 2 (s) “Tribunal” means the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965.

Court Fee: Rs.1000/-

Limitation : 30 days.

(23)

The Goa Tax on Entry of Goods Act and Rules 2000.

Section 28. (1) Any person objecting to any order affecting him passed under the provisions of this Act may appeal such authorities as may be prescribed (hereinafter referred to as the “appellate authority)

Section 29. Appeal to the Tribunal – (1) Any officer empowered by the Government in this behalf or any other person objecting to an order passed by the appellate authority under S.28 or an order passed by a Revisional Authority under sub- section (3) of Section 30 may appeal to the Tribunal within a period of sixty days from the date of which the order was communicated to him.

Court Fee : Rs.1000/-

Limitation : 60 days

Section 2(s) “Tribunal” means the tribunal constituted under the Goa Administrative Tribunal Act 1965 (Act 6 of 1965).

(24)

The Goa (Abolition of Proprietorships, Titles and Grants of Lands) Act, 2014

Section 12 : under this section, the Collector shall publish or cause to be published in the prescribed manner a provisional declaration in the prescribed form giving the names of the proprietors and the particulars of the lands which are deemed to have been re-granted to the proprietor or title-holder or grantee as occupant as provided under **Section 4** of the Act. While dealing with this procedure sub-section (2) provided that Collector shall consider the objections received by him under sub-section 1 and shall make an order disposing off each individual objection. Against this order appeal is provided under sub-section (3) to the Administrative Tribunal.

Court Fee: Rs 1000/-

Limitation: 30 days

(25)

Goa Value Added Tax 2005

Section 36 Appeal : Order of assessment passed by the Assistant Commissioner of Commercial Taxes Under Section 29(2) of the Goa Value Added Tax Act, 2005 may file an appeal before the Administrative Tribunal constituted under the Goa , Daman and Diu Administrative Tribunal Act, 1965, Under Section 36(2) Appellant required to deposit 50% of the disputed amount and produce copy of echallan while filing the appeal.

Court Fee: Rs 500/-

Stay applicationRs. 100/-

Limitation: 60 days

(26)

The Goa Entertainment Tax and rules 1964

³¹[3D. Composition of tax payable on entertainment provided by way of river cruises/boat cruises under section 3.—

6D(3)Appeal:- In lieu of tax payable under section 3D for entertainment provided by way of river cruises/boat cruises, the proprietor may, at his option and in such manner as may be prescribed, pay the tax by way of composition at 32[50% or any lower rate of percentage that the Government may notify for such period] of the aggregate value of notional receipts receivable for admission worked out as under section 3D of the Entertainment act may file an appeal before the Administrative Tribunal constituted under the Goa Daman and Diu Entertainment Tax Act 1964, in such manner, within such time and on payment of such fees as may be prescribe .

Court Fee: Rs 1000/-

Limitation: 60 days

(27)

Real Estate (Regulation and Development) Act, 2016

Section 44(1) Appeal:- Any person aggrieved by the order passed by the Member Goa Real Estate Regulatory Authority, Department of Urban Development, Government of Goa Panaji under this Act made file and appeal before the Goa Real Estate Appellate Authority, in such manner within such time and on payment of such fees as may be prescribed.

Fees for filing Appeal: Rs.5000/-

Deposit of 30% of the Penalty as per Section 43(5)

Limitation: 30 days

