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SERIES I No. 21

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

NOTE

There is one Extraordinary issue to the Official Gazette, Series I No. 20 dated 16-8-2013, namely, Extraordinary dated 19-8-2013 from pages 879 to 882 regarding Amendment to Principal Notification of the Goa Excise Duty Act, 1964— Not. No. 2/7/2013-Fin(R&C) from Department of Finance (Revenue & Control Division).

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GOVERNMENT OF GOA

Department of General Administration

Notification

23/1/87-GA&C (Vol. I)/2860

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) (Twenty-eighth Amendment) Rules, 2013.

(2) They shall come into force at once.

2. *Amendment of Schedule.*— In the Schedule appended to the Business of the Government of Goa (Allocation) Rules, 1987,—

(i) after serial number “3. Department of Animal Husbandry”, the following shall be inserted, namely:—

“3A. Department of Civil Aviation.

(a) All the matters pertaining to Dabolim Airport.

(b) All the matters pertaining to Mopa Airport.

(c) Matters pertaining to Civil Aviation.

(d) Co-ordination with Government of India pertaining to Dabolim Airport and Mopa Airport.”;

(ii) in serial number “5A. Department of Elections”, clause (b) and the entry thereof shall be omitted;

(iii) at serial number “26. Department of Panchayati Raj and Community Development”, after clause (c), the following clause shall be inserted, namely:—

“(d) State Election Commission.”;

(iv) the serial number “38. Department of Science & Technology”, after clause (c), the following clauses shall be inserted, namely:—

“(d) Solid Waste Management and all matters related thereof.

(e) Formulation of guidelines for setting of mobile tower in the State of Goa and co-ordinating with various Departments of the State of Goa as well as of the Central Government, on issues regarding telecommunication.”;

(v) at serial number “43. Department of Transport”, clause (h) and the entry thereof shall be omitted.

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

Ajit S. Pawaskar, Under Secretary (GA-II).

Porvorim, 21st August, 2013.

Department of Home

Home—General Division

—
Notification

2/91/2010-HD(G)

In exercise of the powers conferred by sub-clause (2) of clause 1 of the Goa Victim Compensation Scheme, 2012 hereinafter referred to as the “said Scheme”), the Government of Goa hereby appoints the 15th day of August, 2013, as the date on which the provisions of the said Scheme shall come into force.

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

Neetal P. Amonkar, Under Secretary (Home).

Porvorim, 14th August, 2013.



Department of Law & Judiciary

Legal Affairs Division

—
Notification

10/3/2013-LA/92

The Readjustment of Representation of Scheduled Castes and Scheduled Tribes in Parliamentary and Assembly Constituencies (Second) Ordinance, 2013 (Ordinance No. 6 of 2013), which has been promulgated by the President in the Sixty-fourth Year of the Republic of India, and published in the Gazette of India, Extraordinary, Part II, Section I dated 5-6-2013, is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 2nd August, 2013.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

*New Delhi, the 5th June, 2013/Jyaistha
15, 1935 (Saka).*

THE READJUSTMENT OF REPRESENTA-
TION OF SCHEDULED CASTES AND
SCHEDULED TRIBES IN PARLIAMENTARY
AND ASSEMBLY CONSTITUENCIES
(SECOND) ORDINANCE, 2013

No. 6 of 2013

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

An Ordinance to provide for the readjustment of seats in the House of the People and in the Legislative Assemblies of the States and for the readjustment of territorial constituencies therefor, insofar as such readjustment is necessitated by inclusion in or exclusion from the lists of the Scheduled Castes and the Scheduled Tribes and for matters connected therewith or incidental thereto.

Whereas the Readjustment of Representation of Scheduled Castes and Scheduled Tribes in Parliamentary and Assembly Constituencies Ordinance, 2013, to provide for the aforesaid matters, was promulgated by the President on the 30th January, 2013;

And Whereas the Readjustment of Representation of Scheduled Castes and Scheduled Tribes in Parliamentary and Assembly Constituencies Bill, 2013 was introduced in the Council of States to replace the said Ordinance;

And Whereas the said Bill was referred by the Chairman of the Council of States to the Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice on the 18th March, 2013;

And Whereas the said Standing Committee presented its Fifty-ninth Report to the Council

of States on the 2nd May, 2013 recommending that the Bill be passed;

And Whereas the said Ordinance has lapsed;

And Whereas the said Bill could not be passed by the Council of the States;

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 to validate the action taken under the said Ordinance so lapsed and to take further action to provide for the aforesaid matters;

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:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Readjustment of Representation of Scheduled Castes and Scheduled Tribes in Parliamentary and Assembly Constituencies (Second) Ordinance, 2013.

(2) It shall be deemed to have come into force on the 30th day of January, 2013.

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

(a) “Census Commissioner” means the Census Commissioner appointed under sub-section (1) of section 4 of the Census Act, 1948; 37 of 1948.

(b) “Commission” means the Election Commission referred to in article 324 of the Constitution;

(c) “Delimitation Act” means the Delimitation Act, 2002; 33 of 2002.

(d) “Delimitation Order” means the Delimitation of Parliamentary and Assembly Constituencies Order, 2008;

(e) “last census” means the census held in India in 2001;

(f) “Scheduled Castes Orders” means the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Castes) (Union Territories) Order, 1951, the Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962 and the Constitution (Puducherry) Scheduled Castes Order, 1964, made by the President under article 341 of the Constitution;

(g) “Scheduled Tribes Orders” means the Constitution (Scheduled Tribes) Order, 1950, the Constitution (Scheduled Tribes) (Union Territories) Order, 1951, the Constitution (Scheduled Tribes) (Uttar Pradesh) Order, 1967 and the Constitution (Sikkim) Scheduled Tribes Order, 1978, made by the President under article 342 of the Constitution;

(h) “State” includes a Union territory having a Legislative Assembly but does not include the State of Jammu and Kashmir.

3. *Estimation of population of Scheduled Castes and Scheduled Tribes.*— (1) As soon as may be after the commencement of this Ordinance, the population as at the last census, of the Scheduled Castes or, as the case may be, of the Scheduled Tribes, in each State shall be ascertained or estimated by the Census Commissioner.

(2) Where by reason of the amendments made in the Scheduled Castes Orders and the Scheduled Tribes Orders after the last census and upto 31st May, 2012, the population of the Scheduled Castes or the Scheduled Tribes as at the last census is varied in a State, the Census Commissioner shall ascertain or estimate as on the 1st day of March, 2001, the population of the Scheduled Castes or the Scheduled Tribes so varied, and also ascertain or estimate the proportion of such population of the Scheduled Castes or the Scheduled Tribes, respectively, to the total population of the State in the last census.

(3) The population figures ascertained or estimated under sub-section (2) shall be notified by the Census Commissioner in the Gazette of India.

(4) The population figures so notified shall be taken to be the relevant population figures as ascertained or estimated at the last census and shall supersede any figures previously published; and the figures so notified shall be final and shall not be called in question in any court.

4. *Readjustment of territorial constituencies by Commission.*— (1) After the population figures have been notified for any State under section 3, the Commission shall make such amendments as may be necessary in the Delimitation Order, having regard to the provisions of articles 81, 170, 330 and 332 of the Constitution, of section 8 of the Delimitation Act, and of this Ordinance, for the purpose of giving proper representation to the Scheduled Castes or, as the case may be, to the Scheduled Tribes of that State, and the First Schedule and the Second Schedule to the Representation of the People Act, 1950 shall be deemed to have been 43 of 1950. amended accordingly.

(2) In making any amendments in the Delimitation Order under sub-section (1), the Commission shall, as far as may be necessary, have regard to the provisions of clauses (c) and (d) of sub-section (1) of section 9 of the Delimitation Act.

(3) The Commission shall—

(a) publish its proposals for the amendments in the Gazette of India and the Official Gazette of the State concerned and also in such other manner as it thinks fit;

(b) specify a date on or after which such proposals will be further considered by it;

(c) consider all objections and suggestions which may have been received by it before the date so specified and for such consideration hold one or more public sittings at such place or places in each State as it thinks fit; and

(d) thereafter make necessary amendments in the Delimitation Order.

5. *Procedure and powers of Commission.*— (1) In the discharge of its functions under this Ordinance, the Commission shall determine its own procedure and shall have all the powers of a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of witnesses;

(b) requiring the production of any document; and

(c) requisitioning any public record from any court or office.

(2) The Commission shall have the power to require any person to furnish any information on such points or matters as, in the opinion of the Commission, may be useful for, or relevant to, any matter under the consideration of the Commission.

(3) The Commission shall be deemed to be a civil court for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973.

Explanation.— For the purposes of enforcing the attendance of witnesses, the local limits of the jurisdiction of the Commission shall be the limits of the territory of India.

6. *Publication of amendments and their dates of operation.*— (1) The Commission shall cause the amendments made by it in the

Delimitation Order to be published in the Gazette of India and in the Official Gazettes of the States concerned.

(2) Upon publication in the Gazette of India, every such amendment shall have the force of law and shall not be called in question in any court.

(3) As soon as may be after such publication in the Gazette of India, every such amendment shall be laid before the House of the People and the Legislative Assembly of the State concerned.

(4) Subject to the provisions of sub-section (5), the readjustment of seats and territorial constituencies in the House of the People or in the Legislative Assembly of a State necessitated by any amendments made by the Commission in the Delimitation Order and provided for in that Order as so amended shall apply in relation to every election to the House or, as the case may be, to the Assembly, held after the publication of such amendments in the Gazette of India and shall so apply in supersession of the provisions relating to representation contained in the Representation of the People Act, 1950.

43 of 1950.

(5) Nothing contained in the foregoing sub-sections shall affect the representation in the House of the People or in the Legislative Assembly of a State until the dissolution of the House or of the Assembly, as the case may be, existing on the date of publication of the amendments made by the Commission in the Gazette of India.

7. *Certain other powers of Commission.*— (1) The Commission may, from time to time, by notification in the Gazette of India and in the Official Gazette of the State concerned,—

(a) correct any printing mistake in the Delimitation Order as amended under this

Ordinance, or any error occurring therein from any inadvertent slip or omission; and

(b) where the boundaries or the name of any district or any territorial division mentioned in the said Order are or is altered, make such amendments as appear to it to be necessary or expedient for bringing the Order up-to-date.

(2) Every notification under this section shall be laid, as soon as may be after it is issued, before the House of the People and the Legislative Assembly of the State concerned.

8. *Validation of acts done previous to the commencement of Ordinance.*— All things done and all steps taken, before the commencement of this Ordinance by the Census Commissioner for the ascertainment or estimation of population of the Scheduled Castes and the Scheduled Tribes, or by the Commission for the purpose of readjustment of seats and territorial constituencies shall, insofar as they are in conformity with the provisions of this Ordinance, be deemed to have been done or taken under these provisions as if such provisions were in force at the time such things were done or such steps were taken.

9. *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 appear to it to be necessary or expedient for removing the difficulty.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each House of Parliament.

10. *Validation of action taken under the lapsed Ordinance 2 of 2013.*— Notwithstanding the lapse of the Readjustment of Representation of Scheduled Castes and Scheduled Tribes in Parliamentary and

Assembly Constituencies Ordinance, 2013, anything done or any action taken under the said Ordinance so lapsed shall always be deemed to have been done or taken under the corresponding provisions of this Ordinance as if such provisions had been in force at all material time.

PRANAB MUKHERJEE,
President.

Notification

10/3/2013-LA/98

The Chemical Weapons Convention (Amendment) Act, 2012 (Central Act No. 36 of 2012), which has been passed by the Parliament and assented to by the President on 11-9-2012 and published in the Gazette of India, Extraordinary, Part II, Section I dated 11-9-2012, is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).
Porvorim, 2nd August, 2013.

THE CHEMICAL WEAPONS CONVENTION
(AMENDMENT) ACT, 2012

AN

ACT

to amend the Chemical Weapons Convention Act, 2000.

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

1. *Short title and commencement.*— (1) This Act may be called the Chemical Weapons Convention (Amendment) Act, 2012.

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

2. *Amendment of section 9.*— In the Chemical Weapons Convention

Act, 2000 (hereinafter referred to as 34 of 2000. the principal Act), in section 9, in sub-section (1),—

(a) after the words “National Authority”, the words “or of the Central Government” shall be inserted;

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

“Provided that such officers shall fulfil the prescribed criteria.”.

3. *Substitution of new section for section 16.*— For section 16 of the principal Act, the following section shall be substituted, namely:—

“16. *Restriction on transfer of Toxic Chemical or Precursor listed in Schedule 2.*— No person shall transfer to, or receive from, a State which is not a party to the Convention or any person who is not a citizen of a State Party, any Toxic Chemical or Precursor listed in Schedule 2 in the Annex on Chemicals to the Convention.”.

4. *Amendment of section 18.*— In section 18 of the principal Act,—

(a) in sub-section (1), in the opening portion, for the words “Every person who is”, the words “Subject to such exemptions and thresholds as may be prescribed, every person who is” shall be substituted;

(b) in sub-section (2), in the opening portion, for the words “No person, who after the commencement of this Act”, the words “Subject to such exemptions and thresholds as may be prescribed, no person, who after the coming into force of this section” shall be substituted;

(c) in sub-section (4), after the words “a certificate of registration”, the words “subject to such terms and conditions as may be prescribed” shall be inserted;

(d) after sub-section (5), the following sub-section shall be inserted, namely:—

“(6) Every person, to whom a certificate of registration is granted under sub-section (4), shall furnish to the Central Government periodically, or, as and when required, such information, declaration or return as may be prescribed.”.

5. *Amendment of section 42.*— In section 42 of the principal Act, for the words “any person”, the words “a State which is not a State Party or any person” shall be substituted.

6. *Amendment of section 56.*— In section 56 of the principal Act, in sub-section (2),—

(a) after clause (b), the following clause shall be inserted, namely:—

“(ba) the criteria which the officers are required to fulfil under sub-section (1) of section 9”;

(b) for clause (c), the following clause shall be substituted, namely:—

“(c) the exemptions and thresholds under sub-sections (1) and (2) of section 18, the form of application, the particulars to be contained in the application form, the form of certificate of registration, the manner of making application, the amount of fee payable, the procedure to be followed in granting or cancelling certificate of registration under sub-section (3) of section 18, the terms and conditions for granting a certificate of registration under sub-section (4) of section 18, the period for which a renewed certificate of registration may be issued and the amount of fee payable therefor under sub-section (5) of section 18 and information, declaration or return to be furnished under sub-section (6) of that section;”.

Notification

10/3/2013-LA/102

The Central Educational Institutions (Reservation in Admission) Amendment Act, 2012 (Central Act No. 31 of 2012), which has been passed by the Parliament and assented to by the President on 19-6-2012 and published in the Gazette of India, Extraordinary, Part II, Section I dated 19-6-2012, is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).
Porvorim, 2nd August, 2013.

THE CENTRAL EDUCATIONAL INSTITUTIONS
(RESERVATION IN ADMISSION)
AMENDMENT ACT, 2013

AN

ACT

*to amend the Central Educational Institutions
(Reservation in Admission) Act, 2006.*

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

1. *Short title.*— (1) This Act may be called the Central Educational Institutions (Reservation in Admission) Amendment Act, 2012.

2. *Amendment of section 2.*— In section 2 of the Central Educational Institutions (Reservation in Admission) Act, 2006 (hereinafter referred to as the principal Act), after clause (i), the following clauses shall be inserted, namely:—

‘(ia) “specified north-eastern region” means the area comprising of the States of Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and the tribal areas of Assam referred to in the Sixth Schedule to the Constitution;

(ib) “State seats”, in relation to a Central Educational Institution, means such seats, if any, out of the annual permitted strength in each branch of study or faculty as are earmarked to be filled from amongst the eligible students of the State in which such institution is situated;’.

3. *Amendment of section 3.*— In section 3 of the principal Act, the following provisos shall be inserted, namely:—

“Provided that the State seats, if any, in a Central Educational Institution situated in the tribal areas referred to in the Sixth Schedule to the Constitution shall be governed by such reservation policy for the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes, as may be specified, by notification in the Official Gazette, by the Government of the State where such institution is situated:

Provided further that if there are no State seats in a Central Educational Institution and the seats reserved for the Scheduled Castes exceed the percentage specified under clause (i) or the seats reserved for the Scheduled Tribes exceed the percentage specified under clause (ii) or the seats reserved for the Scheduled Castes and the Scheduled Tribes taken together exceed the sum of percentages specified under clauses (i) and (ii), but such seats are—

(a) less than fifty per cent. of the annual permitted strength on the date immediately preceding the date of commencement of this Act, the total percentage of the seats required to be reserved for the Other Backward Classes under clause (iii) shall be restricted to the extent such sum of percentages specified under clauses (i) and (ii) falls short of fifty per cent. of the annual permitted strength;

(b) more than fifty per cent. of the annual permitted strength on the date

immediately preceding the date of commencement of this Act, in that case no seat shall be reserved for the Other Backward Classes under clause (iii) but the extent of the reservation of seats for the Scheduled Castes and the Scheduled Tribes shall not be reduced in respect of Central Educational Institutions in the specified north-eastern region.”.

4. *Amendment of section 4.*— In section 4 of the principal Act, clause (a) shall be omitted.

5. *Amendment of section 5.*— In section 5 of the principal Act,—

(a) in sub-section (1), for the words “number of such seats available”, the words “number of such seats available or actually filled, whichever be less,” shall be substituted;

(b) in sub-section (2), for the words “three years”, the words “six years” shall be substituted.

6. *Amendment of section 6.*— In section 6 of the principal Act, for the figures “2007”, the figures “2008” shall be substituted.

—————
Notification

10/3/2013-LA/100

The Administrators-General (Amendment) Act, 2012 (Central Act No. 33 of 2012), which has been passed by the Parliament and assented to by the President on 19-6-2012 and published in the Gazette of India, Extraordinary, Part II, Section I dated 19-6-2012, is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 2nd August, 2013.

**THE ADMINISTRATORS-GENERAL
(AMENDMENT) ACT, 2012**

AN

ACT

further to amend the Administrators-General Act, 1963.

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

1. *Short title and commencement.*— (1) This Act may be called the Administrators-General (Amendment) Act, 2012.

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

2. *Amendment of sections 9, 10, 29 and 36 of Act 45 of 1963.*— In sections 9, 10, 29 and 36 of the Administrators-General Act, 1963, for the words “two lakhs”, wherever they occur, the words “ten lakhs” shall be substituted.

—————
Notification

10/3/2013-LA/110

The following Corrigenda issued to the Indian Medical Council (Amendment) Ordinance, 2013 (4 of 2013), and which is published in the Gazette of India, Extraordinary, Part II, Section I dated the 5th June, 2013 (Issue No. 24), is hereby published for the general information of the public.

Julio B. Noronha, Under Secretary (Law).

Porvorim, 2nd August, 2013.

—————
Corrigenda

In the Indian Medical Council (Amendment) Ordinance, 2013 (4 of 2013), as published in the Gazette of India, Extraordinary, Part II, Section 1, issue No. 22 dated the 21st May, 2013,—

(i) at page 1, in the Preamble, in paragraph 2, in line 2, for “circumstances”, read “circumstances”; and

(ii) at page 4, in line 11, for “expirey”, read “expiry”.

Law (Establishment) Division

Rs. 51,550-1,230-58,930-1,380-63,070 instead of
Rs. 51,500-1,230-58,930-1,380-63,070.

Corrigendum

4-2-98/LD(Estt.)(Vol.I)Part/1433

The rest of the contents in the said order dated 6-8-2013 shall remain the same.

Read: Order No. 4-2-98/LD(Estt.)(Vol.I)Part/
/1375 dated 6-8-2013.

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

Vasanti H. Parvatkar, Under Secretary
(Law-Estt.).

In the above referred Order in para 1 the
pay scale may be corrected to read as

Panaji, 16th August, 2013.

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