

Panaji, 13th June, 2024 (Jyaistha 23, 1946)

SERIES I No. 11

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

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GOVERNMENT OF GOA

Inspectorate of Factories and Boilers

Order

1/04(Part-I)/ADM-IFB/22-23/1249

Sanction of the Government is hereby accorded to upgrade the classification and pay scale of the post of Medical Inspector of Factories in the Inspectorate of Factories and Boilers, Altinho, Panaji, Goa from Group 'B' Gazetted-Level 7 of the Pay Matrix under The CCS (Revised Pay) Rules, 2016 to Group 'A' Gazetted-Level 10 of the Pay Matrix under The CCS (Revised Pay) Rules, 2016 with immediate effect.

The issues with the concurrence of the Finance (Revenue & Control) Department, under U. O. No. 140008884 dated 01-01-2024.

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

Anant S. Pangam, Chief Inspector of Factories and Boilers & ex officio Joint Secretary.

Panaji, 7th June, 2024.

Notification

VI/BLR/(2)/A-117/(e)/IFB-2024/1256

The following draft rules which the Government of Goa proposes to make in exercise of the powers conferred by section

29 read with sections 26A and 26B of the Boilers Act, 1923 (Act No. 5 of 1923) are hereby pre-published as required by section 31 of the said Act, for information of all the persons likely to be affected thereby and notice is hereby given that the said draft Rules will be taken into consideration by the Government after expiry of a period of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and/or suggestions to the said draft Rules may be forwarded to the Secretary (Factories and Boilers), Government of Goa, Secretariat, Porvorim, before the expiry of the said period of thirty days so that they may be taken into consideration at the time of finalization of the said draft Rules.

DRAFT RULES

In exercise of the powers conferred by section 29 of the Boilers Act, 1923 (Act 5 of 1923) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Boilers (Penalty Adjudication and Appeal) Rules, 2024.

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

2. *Definitions.*— (1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Boilers Act, 1923 (Act 5 of 1923);

(b) “Adjudicating Officer” means a person authorized as the Adjudicating Officer under sub-section (1) of section 26A of the Act;

(c) “Appellate Authority” means a person authorized as the Appellate Authority under sub-section (1) of section 26B of the Act;

(d) “Form” means a form appended to these rules;

(e) “Inquiry” means the inquiry under section 26A of the Act;

(f) “Inspector” means a person appointed to be an Inspector under the Act;

(2) Words and expressions used and not defined in these rules, but defined in the Act shall have the same meanings respectively assigned to them in that Act.

3. *Adjudication proceedings under section 26A.*— (1) On receipt of a report from the Inspector, the Chief Inspector shall examine the case according to the provisions of the Act, rules and regulations made thereunder under which the owner has been charged as to whether the contraventions are punishable with penalty under sections 22, 23, sub-section (1) of section 25 or section 30 of the Act or no contravention is established.

(2) If the Chief Inspector decides that such contravention is punishable with penalty under sections 22, 23, sub-section (1) of section 25 or section 30 of the Act, he shall cause and authorize the Inspector to file with the Adjudicating Officer, an application for adjudication of the offence alleged to have been committed by the person in respect of which the report has been received.

(3) On receipt of the communication from the Chief Inspector authorizing the filing of the adjudication application, the Inspector shall file the application for adjudication with the Adjudicating Officer for adjudication of the contravention alleged to have been committed.

(4) On receipt of the application for adjudication from the Inspector, the Adjudicating Officer shall commence the inquiry proceedings under section 26A of the Act.

(5) For holding an inquiry for the purpose of adjudication under section 26A of the Act as to whether any owner has committed contravention of any of the provisions of sections 22, 23, sub-section (1) of section 25 or section 30 the Act in respect of which the contravention is alleged to have been committed, the Adjudicating Officer shall, in the first instance, issue a notice to such owner giving him an opportunity for hearing

in the matter within a period of thirty days from the date of receipt of application.

(6) Such notice shall indicate the nature of offence alleged to have been committed, the sections of the Act alleged to have been contravened, and the date of hearing of the matter. A copy of the report of the Inspector shall also be annexed to such notice.

(7) On the date fixed for hearing, the Adjudicating Officer shall explain to the owner or to his authorized representative, the offence alleged to have been committed by such person, indicating the provision of the Act in respect of which the contravention is alleged to have taken place.

(8) The Adjudicating Officer shall then give an opportunity to such owner to produce such documents or evidence as he may consider relevant to the inquiry and if necessary, the hearing may be adjourned to a future date:

Provided that the Adjudicating Officer shall pass the final order within 180 days from the date of first hearing.

(9) If any person fails, neglects or refuses to appear as required by sub-rule (5) and (6) before the Adjudicating Officer, the Adjudicating Officer may proceed with the inquiry in the absence of such person, after recording the reasons for doing so.

(10) If upon consideration of the evidence produced before the Adjudicating Officer, the Adjudicating Officer is satisfied that the owner against whom the inquiry has been conducted, is liable to penalty under any of the provisions of sections 22, 23, sub-section (1) of section 25 or section 30 the Act, he may, by order in writing, impose such penalty as he thinks fit, in accordance with the provisions of the relevant section or sections of the Act.

(11) If, however, the Adjudicating Officer is satisfied that the owner against whom the inquiry has been conducted for the contravention of provisions of the Act, has not been proved beyond doubt, the Adjudicating Officer shall dismiss the case.

(12) Every order made under sub-rule (10) shall specify the provisions of the Act in respect of which the contravention has taken place and shall contain brief reasons for such decision. While imposing penalty, the Adjudicating Officer shall have due regard to the provisions of section 26A of the Act. Such penalty shall be remitted into the local treasury under the Head of Account "59—Factories and Boilers; 0230—Labour and Employment; 103—Fees for Inspection of Steam Boilers; 01—Fees for Inspection of Steam Boilers".

(13) Every such order shall be dated and signed by the Adjudicating Officer.

(14) The Adjudicating Officer shall send a copy of the order made under sub-rules (10) or (11) to the owner against whom the inquiry was conducted and the inspector who has filed the application for adjudication.

(15) A notice or an order issued under these rules shall be served on the owner against whom the adjudication proceedings were held or inquiry has been conducted, in any of the following manner:—

(i) by delivering or tendering it to that owner or his duly authorized representative; or

(ii) by sending it to the owner by registered post or speed post to the address of his place of residence or his last known place of residence or the place where he carried on or last carried on, business or personally works or last worked for gain; or

(iii) if it cannot be served in the manner specified under sub-rule (i) or (ii), by affixing it on the outer door or some other conspicuous part of the premises in which that person resides or is known to have last resided or carried on business or personally works or has worked for gain and written report thereof should be witnessed by two persons.

4. *Manner of preferring appeal under section 26B of the Act.*— (1) An appeal under section 26B of the Act, arising out of a decision of the Adjudicating Officer appointed under section 26A of the Act, shall be filed with the

Appellate Authority in Form 'A' hereto within a period of sixty days from the date on which the copy of the order against which the appeal is filed, is received by the appellant.

(2) An appeal may be admitted after the expiry of the period of sixty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(3) The appeal shall be accompanied by a copy of order of Adjudicating Officer issued under sub-rule (10) of rule 3 and a clear statement of facts appealed against, the grounds for appeal and the relevant sections of the Act.

(4) The appeal shall be presented in triplicate by the appellant in person or by his duly authorized agent in writing or by an advocate duly appointed in this behalf or by registered post or speed post and shall be accompanied by fee of five hundred rupees paid in the form of Court Fee Stamp affixed on the Memorandum of appeal.

(5) The appeal sent by post shall be deemed to have been presented to the Appellate Authority on the day it is received.

(6) If on scrutiny, the appeal is found to be in order, it shall be duly registered and given a registration number.

(7) If on scrutiny, the appeal is found to be defective, the same shall, after notice to the party, be returned for compliance and if within 21 days of receipt of such notice or within such extended time as may be granted, the defect is not rectified, the Appellate Authority, may, for reasons to be recorded in writing, decline to register the appeal.

(8) A copy of the appeal shall be served by the Appellate Authority to the Respondent as soon as it is registered, by hand delivery or by registered post or speed post.

(9) On admission of the appeal, the Appellate Authority may call for the records relating to the proceedings from the respective Adjudicating Officer.

(10) The Respondent shall within thirty days of service of notice of appeal, file reply on the appeal to the Appellate Authority.

(11) The Appellate Authority may, after giving the parties to the appeal an opportunity of being heard, pass such orders as he may think fit, confirming or setting aside the order appealed against.

(12) The order of the Appellate Authority shall be signed and dated. The Appellate Authority shall have powers to pass interim orders or injunction, subject to reasons to be recorded in writing, which he considers necessary in the interest of justice.

(13) A certified copy of every order passed by the Appellate Authority shall be communicated to the Adjudicating Officer and to the parties, as the case may be.

(14) The order passed by the Appellate Authority under sub-rule (11) shall be final and binding.

FORM 'A'

[See rule 4(1)]

Memorandum of Appeal

Before the Appellate Authority

In the matter of The Boilers Act, 1923

AND

In the matter of Appeal against the Order
dated _____ passed by the

Adjudicating Officer, _____ (Place)

Appeal No. ____ of ____

... Appellant

Vs

... Respondent

For use in Appellate Authority's office

Date of presentation of Appeal

Date of receipt by Post

Registration No.

Signature

INDEX
(Specimen Index)

Sr. No.	Exhibit Particulars No.	Page
1.	Appeal Memo	
2.	Copy of the Show Cause Notice dated _____ issued by the Adjudicating Officer.	
3.	Copy of the Reply dated _____ submitted by the Appellant to the Show Cause Notice.	
4.	Copy of the Impugned Order dated _____	

Appeal Memo

1. Particulars of the Appellant

- (i) Name of the Appellant:
- (ii) Address of the Appellant:
- (iii) Address for service of all notices:
- (iv) Mobile No. of the Appellant:
- (v) Email address:

2. Particulars of the Respondent

- (i) Name of the Respondent:
- (ii) Address of the Respondent:
- (iii) Address for service of all notices:

3. Jurisdiction of the Appellate Authority

The Appellant declares that the matter of Appeal falls within the jurisdiction of the Appellate Authority.

4. Limitation

The Appellant further declares that the Appeal is within the limitation as specified in section 26B of the Boilers Act, 1923.

5. Facts of the case

Here give a concise statement of facts of the case and grounds of Appeal against the specified order, in a chronological order, each paragraph containing as neatly as possible as separate issue, fact or otherwise. The facts of the case shall be presented in reference to the documents enclosed at Sr. No. 10 of Appeal memo.

6. Relief(s) sought

In view of the facts mentioned in paragraph 5 and the grounds on which the impugned order is challenged, the Appellant prays for the following relief(s) (Here specify the interim relief(s) sought and the legal provision, if any, relied upon).

7. Interim relief(s) sought (if prayed for)

Pending the final decision in the Appeal, the Appellant seeks the following interim relief(s). (Here specify the interim relief(s) prayed for and the reasons therefore).

8. Matters not pending with any other court

The Appellant further declares that the matter regarding which this Appeal has been filed, is not pending before any court of law or any other authority or any Tribunal.

9. Details of Index

An index containing the details of the documents relied upon is enclosed.

10. List of enclosures

(Signature of the Appellant)

VERIFICATION

I, _____ son/wife/daughter of Mr. _____ being the Appellant do hereby verify that the contents of paragraphs 1 to 10 are true to my personal knowledge and belief and that I have not suppressed any material fact.

(Signature of the Appellant)

Place:

Date:

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

Anant S. Pangam, Chief Inspector of Factories and Boilers & ex officio Joint Secretary.

Panaji, 7th June, 2024.

Order

II/1/3/VII/BUD/2017-18/IFB/1291

Sanction of the Government is hereby conveyed for revision of fees charged for conducting industrial hygiene surveys in the factories conducted by Inspectorate of Factories and Boilers, Altinho, Panaji (hereinafter referred to as the "Department") as specified in the Schedule annexed to this Order with immediate effect.

Fees charged for conducting industrial hygiene surveys in the factories conducted by the Department as specified in the Schedule annexed to this Order shall be increased by 5% at the beginning of each financial year with effect from 01-04-2025.

This issues with the concurrence of the Finance (Exp.) Department under FMS No. 1400048407.

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

Anant S. Pangam, Chief Inspector of Factories and Boilers & ex officio Joint Secretary.

Panaji, 12th June, 2024.

Measurement of levels of concentration of pollutants/certain Chemical Substances in Work Environment	Heat Stress & Ventilation Survey	Illumination Survey	Noise Survey	Rs.	Built up Area in sq. m	Workers Licensed To Employ
7,500	7,500	5,000	5,000	Rs.	Upto 1000 sq. m.	Upto 150
10,000	10,000	7,500	7,500		Above 1000 & upto 2500 sq. m.	
12,500	12,500	10,000	10,000		Above 2500 & upto 5000 sq. m.	
15,000	15,000	12,500	12,500		Above 5000 & upto 10000sq.m	
17,500	17,500	15,000	15,000		Above 10000 sq. m.	
12,500	12,500	10,000	10,000	Rs.	Upto 2500 sq. m.	From 151 to 500
15,000	15,000	12,500	12,500		Above 2500 & upto 5000 sq. m.	
17,500	17,500	15,000	15,000		Above 5000 & upto 10000 sq. m	
20,000	20,000	17,500	17,500		Above 10000 sq. m.	
17,500	17,500	15,000	15,000	Rs.	Upto 5000 sq. m.	From 501 to 1000
20,000	20,000	17,500	17,500		Above 5000 & upto 10000sq.m	
22,500	22,500	20,000	20,000		Above 10000 sq. m.	
20,000	20,000	17,500	17,500	Rs.	Upto 5000 sq. m.	From 1001 to 2500
22,500	22,500	20,000	20,000		Above 5000 & upto 10000sq.m	
25,000	25,000	22,500	22,500		Above 10000 sq. m.	
22,500	22,500	20,000	20,000	Rs.	Upto 5000 sq. m.	Above 2500
25,000	25,000	22,500	22,500		Above 5000 & upto 10000sq.m	
27,500	27,500	25,000	25,000		Above 10000 sq. m.	

SCHEDULE

SCHEDULE OF FEES FOR CONDUCTING INDUSTRIAL HYGIENE SURVEYS IN FACTORIES BY INSPECTORATE OF FACTORIES AND BOILERS

Department of Labour

Notification

24/06/2022/LAB

The following draft Rules which the Government of Goa proposes to make in exercise of the powers conferred by section 13 read with section 18 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (Central Act No. 61 of 1986), so as to amend the Goa Child Labour (Prohibition and Regulation) Rules, 1994, are hereby pre-published as required by sub-section (1) of section 18 of the said Act for information of all the persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government after expiry of a period of 30 days from the date of publication of this Notification in the Official Gazette.

All objections and/or suggestions to the said draft Rules may be forwarded to the Secretary (Labour) before the expiry of the said period of 30 days so that they may be taken into consideration at the time of finalization of the said draft Rules.

DRAFT RULES

In exercise of the powers conferred by section 13 read with section 18 of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (Central Act No. 61 of 1986) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules so as to amend the Goa Child Labour (Prohibition and Regulation) Rules, 1994, namely:—

1. *Short title and commencement.*— (1) These Rules may be called the Goa Child and Adolescent Labour (Prohibition and Regulation) (Amendment) Rules, 2024.

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

2. *Amendment of rule 1.*— In rule 1 of the Goa Child Labour (Prohibition and Regulation) Rules, 1994 (hereinafter referred to as the

“principal Rules”), in sub-rule (1), for the words “Child Labour”, the words “Child and Adolescent Labour” shall be substituted.

3. *Amendment of rule 2.*— In rule 2 of the principal Rules,—

(i) for clause (a) the following clause shall be substituted, namely:—

‘(a) “Act” means the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 (61 of 1986);

(ii) clause (b) shall be omitted.

(iii) after clause (c), the following clause shall be inserted, namely:—

“(ca) “Fund” means the Child and Adolescent Labour Rehabilitation Fund constituted under sub-section (1) of section 14B of the Act”;

(iv) after clause (d), the following clauses shall be inserted, namely:—

“(da) “Inspector” means the Inspector appointed by the Government under section 17;

(db) “Municipality” means an institution of self-Government constituted under article 243Q of the Constitution of India;

(dc) “Panchayat” means a Panchayat constituted under Article 243B of the Constitution of India.”.

4. *Insertion of new rules 2A to 2C.*— After rule 2 of the principal Rules, the following rules shall be inserted, namely:—

“2A. *Awareness on prohibition of employment of child and adolescents in contravention to Act.*— The Government to ensure that the children and adolescents are not employed or permitted to work in any occupation or process in contravention to the provisions of the Act, through appropriate measures, shall,—

(a) arrange public awareness campaigns using folk and traditional media and mass media including television, radio, internet based application and the print media to make

the general public, including the employers and the children and adolescents who may be employed in contravention to the provisions of the Act, aware about the provisions of the Act, and thereby discourage employers or other persons from engaging children and adolescents in any occupation or process in contravention of the provisions of the Act;

(b) promote reporting of enterprises or instances of employment of children or adolescents in contravention to the provisions of the Act, by developing and advertising easily accessible means of communication to authorities specified by the Government;

(c) display to the possible extent the provisions of the Act, these rules and any other information relating thereto in railway coaches, at railway stations, major bus stations, ports and port authorities, airports and other public places including shopping centers, markets, cinema halls, hotels, hospitals, panchayat offices, police stations, resident welfare association offices, industrial areas, schools, court complexes and offices of all authorities authorised under the Act;

(d) promote through appropriate method the inclusion of the provisions of the Act in learning material and syllabus in school education; and

(e) promote inclusion of training and sensitisation material on the provisions of the Act and the responsibilities of various stakeholders thereto, in police, judicial and civil service academies, teachers training and refresher courses and arrange sensitisation programmes for other relevant stakeholders including, panchayat members, doctors and concerned officials of the Government.

2B. *Child to help his family without affecting education.*— (1) Subject to the provisions of section 3, a child may, without

affecting his school education, in any manner,—

(a) help his family in his family enterprise, subject to the condition that such help,—

(i) shall not be in any hazardous occupation or process listed in Part A and B of the Schedule to the Act;

(ii) shall not include work or occupation or process at any stage of the production, supply or retail chain that is remunerative for the child or his family or the family enterprise;

(iii) shall only be allowed to help in his family, or in a family enterprise, where his family is the occupier;

(iv) shall not perform any tasks during school hours or between 7 p.m. and 8 a.m.;

(v) shall not be engaged in such tasks of helping which hinders or interferes with the right to education of the child, or his attendance in the school, or which may adversely affect his education including activities which are inseparably associated to complete education such as homework or any extracurricular activity assigned to him by the school;

(vi) shall not be engaged in any task continuously without rest which may make him tired and shall be allowed to take rest to fresh his health and mind, and a child shall not help for more than three hours excluding the period of rest in a day;

(vii) shall not include in anyway substitution of the child for an adult or adolescent while helping his family or family enterprise; and

(viii) shall not be in contravention to any other law for the time being in force;

(b) aid or assist his family in such manner which is not incidental to any occupation, work, profession,

manufacture or business, or for any payment or benefit to the child or any other person exercising control over the child, and which is not detrimental to the growth and overall development of the child.

Explanation 1.— For the purposes of this rule, only,—

(a) biological brother and sister of the child;

(b) brother or sister of the child through lawful adoption by the parents of the child; and

(c) biological brother and sister of the parents of the child, shall be included for comprising the family of a child.

Explanation 2.— For the purposes of Explanation 1, it is hereby clarified that preliminarily, any doubt as to whether a person is a biological brother or sister, may be removed by examining the pedigree of such person issued by the concerned Municipality or Panchayat, as the case may be, or any other legal document issued by concerned authority of the Government.

(2) Where a child receiving education in a school remains absent consecutively for thirty days without intimation to the Principal or Head Master of the school, then, the Principal or Head Master shall report such absence to the concerned nodal officer referred to in clause (i) of sub-rule (1) of rule 25C for information.

2C. Child to work as an artist.— (1) Subject to the provisions of section 3, a child may be allowed to work as an artist subject to the following conditions, namely:—

(a) no child shall be allowed to work for more than five hours in a day, and for not more than three hours without rest;

(b) any producer of any audio-visual media production or any commercial event involving the participation of a child, shall involve a child in participation only after obtaining the permission from the District Magistrate

of the district where the activity is to be performed and shall furnish to the District Magistrate before starting the activity an undertaking in Form E hereto and the list of child participants, consent of parents, name of the individual from the production or event who shall be responsible for the safety and security of the child;

(c) the undertaking referred to in clause (b) shall be valid for six months and shall clearly state the provisions for education, safety, security and reporting of child abuse in consonance with the guidelines and protection policies issued by the Government from time to time for such purpose including—

(i) ensuring facilities for physical and mental health of the child;

(ii) timely nutritional diet of the child;

(iii) safe, clean shelter with sufficient provisions for daily necessities; and

(iv) compliance to all laws applicable for the time being in force for the protection of children, including their right to education, care and protection, and against sexual offences;

(d) appropriate facilities for education of the child to be arranged so as to ensure that there is no discontinuity from his lessons in school;

(e) one responsible person be appointed for maximum of five children for the production or event, so as to ensure the protection, care and best interest of the child;

(f) at least twenty percent of the income earned by the child from the production or event to be directly deposited in a fixed deposit account in a nationalised bank in the name of the child which may be credited to the child on attaining majority; and

(g) no child shall be made to participate in any audio visual and sports activity against his will and consent.

(2) For the purposes of clause (c) to the Explanation to sub-section (2) of section 3, the expression “such other activity” contained therein, shall mean—

(i) any activity where the child himself is participating in a sports competition or event or training for such sports competition or event;

(ii) cinema shows on television, internet, radio or any other media including reality shows which includes quiz shows and talent shows;

(iii) drama serials;

(iv) participation as anchor of a show or events; and

(v) any other artistic performances which the Government permits in individual cases, which shall not include street performance for monetary gain.”.

5. *Omission of rule 3.*— Rule 3 of the principal Rules shall be omitted.

6. *Substitution of rule 4.*— For rule 4 of the principal Rules, the following rule shall be substituted, namely:—

“4. *Hours of work.*— No Adolescent shall be employed or permitted to work in any establishment or class of establishments to which part III of the Act applies, for more than 5 hours on any day.”.

7. *Omission of rules 6 to 22.*— Rules from 6 to 22 of the principal Rules shall be omitted.

8. *Substitution of rule 23.*— For rule 23 of the principal Rules, the following rule shall be substituted, namely:—

“23. *Health measures and Safety Education.*— (1) Every establishment shall be kept clean and free from effluvia arising from any drain or other nuisance.

(2) Effective and suitable provisions shall be made in every establishment for securing and maintaining healthy atmosphere in work room by providing the following facilities, namely:—

(a) adequate ventilation for the circulation of fresh air; and

(b) such room temperatures as are required for the workers for reasonable conditions of comfort and prevention of injury to the health keeping in view the climatic conditions.

(3) In every establishment effective arrangement shall be made to provide and maintain at suitable points conveniently situated for all Adolescent labourers employed therein, a sufficient supply of wholesome drinking water.

(4) In every establishment sufficient latrines and urinals accommodations shall be provided.

(5) Every establishment employing Adolescent labour shall impart sufficient safety education to the Adolescent labour before their engagement.”.

9. *Amendment of rule 24.*— In rule 24 of the principal Rules, in sub-rule (1), for the word “children”, the word “adolescents” shall be substituted.

10. *Insertion of new rule 24A.*— After rule 24 of the principal Rules, the following rule shall be inserted, namely:—

“24A. *Payment of amount to child or adolescent from and out of Child and Adolescent Labour Rehabilitation Fund.*—

(1) The amount credited, deposited or invested, as the case may be, under sub-section (3) of section 14B, to the Child and Adolescent Labour Rehabilitation Fund and the interest accrued on it, shall be paid to the child or adolescent in whose favour such amount is credited in the following manner, namely:—

(i) the Inspector or the nodal officer having jurisdiction shall, under his supervision, ensure that an account of such child or adolescent is opened in a nationalised bank and inform the bank in which the amount of the Fund is deposited or, as the case may be, to the officer responsible to invest the amount of the Fund under sub-section (3) of section 14B;

(ii) the interest accrued on the proportionate amount of the Fund in favour of the child or adolescent shall be

biannually transferred to the account of the child or adolescent, as the case may be, by the bank or officer responsible to invest the amount under information to the Inspector;

(iii) when the concerned child or adolescent completes the age of eighteen years, then, as soon as may be possible forthwith or within a period of three months, the total amount credited, deposited or invested in favour of the child along with interest accrued thereon including the interest remaining in the bank or remaining so invested under sub-section (3) of section 14B, shall be transferred to the said bank account of child or adolescent, as the case may be; and

(iv) the Inspector shall prepare a report of the amount transferred under clause (ii) and clause (iii) with particulars of the concerned child or adolescent sufficient to identify him and send a copy of the report annually to the Government of Goa for information.

(2) Any amount recovered by way of fine or for composition of offences in pursuance of an order or judgement of a Court in favour of a child or adolescent for the contravention of the provisions of the Act, shall also be deposited in the Fund and shall be spent in accordance with such order or judgement.”.

11. *Substitution of rule 25.*— For rule 25 of the principal Rules, the following rule shall be substituted, namely:—

“25. *Certificate of age.*— (1) Where an Inspector has an apprehension that any adolescent has been employed in any of the occupation or processes in which he is prohibited to be employed under section 3A of the Act, he may require the employer of such adolescent to produce to the Inspector a certificate of age from the appropriate medical authority.

(2) The appropriate medical authority shall, while examining an adolescent for issuing the certificate of age under sub-rule (1), take into account:—

(i) the Aadhar card of the adolescent, and in the absence thereof;

(ii) the date of birth certificate from school or the matriculation or equivalent certificate from the concerned examination Board of the adolescent, if available, and in the absence thereof;

(iii) the birth certificate of the adolescent given by a corporation or a municipal authority or a panchayat, and only in the absence of the methods specified in clauses (i) to (iii), the age shall be determined by such medical authority through an ossification test or any other latest medical age determination test.

(3) The ossification test or any other latest medical age determination test shall be conducted on the order of the appropriate authority of the rank of Labour Commissioner as may be specified by the Government of Goa in this behalf and such determination shall be completed within fifteen days from the date of such order.

(4) The certificate of age referred to in sub-rule (1) shall be issued in Form C.

(5) The charges payable to the medical authority for the issue of the certificate of age shall be same as specified by the Government of Goa, as the case may be, for their Medical Boards.

(6) The charges payable to the medical authority shall be borne by the employer of the adolescent whose age is determined under this rule.

Explanation.— For the purposes of this rule,—

(i) the “medical authority” means a Government medical doctor not below the rank of an Assistant Surgeon of a District or a regular doctor of equivalent rank employed in Employees’ State Insurance dispensaries or hospitals;

(ii) “adolescent” means an adolescent as defined in clause (i) of section 2 of the Act.”.

12. *Insertion of new rules 25A to 25E.*— After rule 25 of the principal Rules, the following rules shall be inserted, namely:—

"25A. *Persons to file complaint.*— Any person who may file a complaint under the Act for commission of any offence include school teachers and representatives from school management committee, child protection committee, Panchayat or Municipality, who shall be sensitised to file complaint, in the event that any of students in their respective schools is employed in contravention to the provisions of the Act.

25B. *Manner of compounding the offence.*— (1) An accused person,—

(i) who commits an offence first time under sub-section (3) of section 14; or

(ii) who being parent or a guardian, commits an offence under the said section, may file application to the District Magistrate having jurisdiction for compounding the offence under sub-section (1) of section 14D.

(2) The District Magistrate shall after hearing the accused person and the Inspector concerned on application filed under sub-rule (1), dispose of the application and if the application is allowed, issue the certificate of compounding, subject to—

(i) the payment of a sum of fifty percent; of the maximum fine provided for such offence within a time to be specified in such certificate; or

(ii) the payment of an additional sum of twenty-five percent; of the maximum fine provided for such offence together with the compounding amount specified under clause (i), if the accused person fails to pay the compounding amount under the said clause within the specified time, and such delayed payment shall be made within a further period as may be specified by the District Magistrate.

(3) The compounding amount shall be paid by the accused person to the Government of Goa.

(4) If the accused person fails to pay the compounding amount under sub-rule (2), then, the proceeding shall be continued as specified under sub-section (2) of section 14D.

25C. *Duties of District Magistrate.*— (1) The District Magistrate shall,—

(i) specify such officers subordinate to him, as he considers necessary, to be called the nodal officers, who shall exercise all or any of the powers and perform all or any of the duties of the District Magistrate conferred and imposed on him by the Government of Goa under section 17A .

(ii) assign such powers and duties, as he thinks appropriate, to a nodal officer to be exercised and performed by him within his local limits of jurisdiction as subordinate officer;

(iii) preside over as chairperson of the Task Force to be formed in a district consisting of—

(a) Inspector appointed under section 17 for the purposes of his local limits of jurisdiction;

(b) Superintendent of Police for the purposes of his local limits of jurisdiction;

(c) Additional District Magistrate for the purposes of his local limits of jurisdiction;

(d) Nodal officer referred to under clause (i) for the purposes of his local limits of jurisdiction;

(e) Assistant Labour Commissioner for the purposes of his local limits of jurisdiction;

(f) two representatives each from a voluntary organisation involved in rescue and rehabilitation of employed children in the district on rotation basis for a period of two years;

(g) a representative of the District Legal Services Authority to be nominated by the District Judge; and

(h) a member of the District Anti-trafficking Unit;

(i) Chairperson of the Child Welfare Committee of the District;

(j) District Child Protection Officer in the District under the Integrated Child Protection Scheme of the Ministry of the Government of India dealing with women and child development;

(k) District Education Officer;

(l) any other person nominated by the District Magistrate;

(m) Secretary of the Task Force shall be any of the nodal officers referred to in clause (i) and nominated by the Chairperson.

(2) The Task Force referred to in clause (iii) of sub-rule (1) shall meet at least once in every month and shall make a comprehensive action plan for conducting the rescue operation, taking into account the time available, point of raid in accordance with the law for the time being in force, confidentiality of the plan, protection of victims and witnesses and the interim relief in accordance with the guidelines for rescue and repatriation issued by the Government of Goa from time to time; and the Task Force shall also cause to upload the minutes of such meeting on the portal created for such purpose by the Government.

(3) In addition to the duties referred to in sub-rule (1), the District Magistrate shall ensure through nodal officers that the children and adolescents who are employed in contravention of the provisions of the Act are rescued and shall be rehabilitated in accordance with the provisions of—

(i) the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016) and the rules made there under;

(ii) the Bonded Labour System (Abolition) Act, 1976 (19 of 1976);

(iii) the Central Sector Scheme for Rehabilitation of Bonded Labourers, 2016;

(iv) any National Child Labour Project;

(v) any other law or scheme for the time being in force under which such children or adolescents may be rehabilitated; and subject to—

(I) the directions, if any, of a court of competent jurisdiction;

(II) the guidelines for rescue and repatriation issued by the Government of Goa from time to time in this regard.

25D. *Duties of Inspectors.*— An Inspector appointed by the Government under section 17, for the purposes of securing compliance with the provisions of the Act, shall—

(i) comply with the norms of Inspection issued by the Government from time to time;

(ii) comply with the instructions issued by the Government from time to time for the purposes of securing the compliance with the provisions of the Act; and

(iii) report the Government quarterly regarding the inspection made by him for the purposes of securing the compliance with the provisions of the Act and the action taken by him for such purposes.

25E. *Periodical inspection and monitoring.*—The Government shall create a system of monitoring and inspection for carrying into effect the provisions of section 17, which may include,—

(i) the number of periodical inspection to be conducted by the Inspector of the places at which the employment of children is prohibited and hazardous occupations or processes are carried out;

(ii) the intervals at which an Inspector shall report to the Government complaints received to him relating to

the subject matter of inspection under clause (i) and the details of action taken by him thereafter;

(iii) maintenance of record electronically or otherwise of—

(a) children and adolescent found to be working in contravention of the provisions of the Act including children who are found to be engaged in family or family enterprises in contravention of the Act;

(b) number and details of the offences compounded;

(c) details of compounding amount imposed and recovered; and

(d) details of rehabilitation services provided to children and adolescents under the Act.”.

13. *Omission of rules 26, 27 and 28.*— Rules 26, 27 and 28 of the principal Rules shall be omitted.

14. *Omission of Form A.*— Form A appended to the principal Rules shall be omitted.

15. *Amendment of Form B.*— In Form B appended to the principal Rules, in the heading of column 2, for the words “Name of child”, the words “Name of adolescent” shall be substituted.

16. *Insertion of new Form E.*— After Form D appended to the principal Rules, the following Form shall be inserted, namely:—

“Form E
[See rule 2C(b)]
Undertaking under rule 2C(b) of the
Goa Child and Adolescent Labour (Prohibition and Regulation) Rules, 1994

I producer of an audio visual media production or organiser of a commercial event, involving the participation of the following child/children, namely:—

Sl. No.	Name of the Child/ /Children	Parent's/Guardian's Name	Address
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do hereby undertake that in the course of the involvement of the above mentioned child/children in the event (specify the event), there shall be no violation of any provision of the Goa Child and Adolescent Labour (Prohibition and Regulation) Act, 1996 (61 of 1986) and the Child and Adolescent Labour (Prohibition and Regulation) Rules, 1994 and full care shall be taken of the physical and mental health and other requirements of the child/children so that he/they should not feel any inconvenience. I also undertake that during the event, all laws applicable for the time being in force for the protection of children, including their right to education, care and protection, and legal provisions against sexual offences will be complied.

Dated:

(Name and Signature of the Producer).”.

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

Asha Harmalkar, Under Secretary (Labour).

Porvorim, 10th June, 2024.

Department of Law & Judiciary
Law (Establishment) Division

Order

SS(Law)AG/2007/1137

- Read: 1) Office Memorandum No. 4-5-87/
/LD(1)/1746 dated 11-12-2008.
- 2) Order No. SS(LAW)/AG/2007/543
dated 08-04-2013.
- 3) Addendum No. SS(LAW)/AG/
/2007/561 dated 03-03-2014.

In partial modification of Order read as Sr. No. 2 as above, the Government of Goa is please to modify the fees for appearance to the Ld. Advocate General of the State of Goa before the Hon'ble High Court of Bombay at Goa, shall be as follows, with effect from 01-04-2024.

Sr. No.	Particulars	Fees of Ld. Advocate General of Goa w.e.f. 01-04-2024
1)	Fees for appearance before the High Court	Rs. 8,00,000/- (Rupees Eight lakhs only) per month, irrespective of number of appearances before the Hon'ble High Court.

The other fees prescribed in the above read Office Memorandum, Order and Addendum shall remain unchanged, until further Orders.

This issues with the concurrence of Finance (Exp.) Department vide their U. O. No. 1442632 dated 22-02-2024 and the Council of Minister's decision on the Table Item No. 17 in the XLIIInd Cabinet Meeting held on 23-02-2024.

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

Amir Y. Parab, Under Secretary, Law (Estt.).

Porvorim, 7th June, 2024.

Department of Science and Technology
and Waste Management

Notification

GWMC/Admn/01/2017-18/174

In exercise of the powers conferred by sub-section (2) of section 1 of the Goa Waste Management (Amendment) Act, 2023 (Goa Act 37 of 2023), the Government of Goa hereby appoints the 05th day of June, 2024 as the date on which the provisions of the said Act shall come into force.

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

Ankit Yadav, IAS, Director (S&T&WM) & ex officio Joint Secretary.

Porvorim, 31st May, 2024.

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Department of Women & Child
Development

Directorate of Women & Child Development

Notification

2-1761-SHW-2023-DW&CD/794

**The Scheme for Shelter Homes
for Women (SHW)**

Read:- (1) Notification No. 2-105(17)-2006/
/DW&CD dated 21-09-2006.

(2) Amendment Notification No. 2-105
(17)-2006/DW&CD dated 22-03-2010.

The Government is pleased to amend the Scheme Shelter Home for Women (SHW) 2006 as under:-

The scheme for SHW extends temporary shelter and rehabilitation to those women who have no social support systems due to family problems, mental strains, social ostracism, exploitation and other causes. It creates a space for women to socially and economically equip themselves to face the challenges. The services extended in these homes include medical care, psychiatric

treatment, case work services, occupational therapy, education cum vocational training recreational facilities, etc.

Objectives:—

- To provide temporary shelter and support to women who have no family or social support systems to rely on.
- To rehabilitate the women socially and economically by provision of skill training, counseling.

Implementing Agencies:— Non Government Voluntary Organization, registered under the Registration of Societies Act, 1860, a public Trust registered under any law for the time being in force, local bodies, Govt. bodies or other bodies as specified by the Government.

Project Sanctioning Authority:— The Secretary (Women & Child Dev.), Government of Goa, after considering the proposal submitted by the Director, Women & Child Development may sanction the grant under this Scheme.

Target Group/Beneficiaries:—

- Those who are being forced into prostitution.
- Those who, as a result of family tension or discord, are made to leave their homes without any means of subsistence and have no social protection from exploitation and/or facing litigation on account of marital disputes.
- Those who have been sexually assaulted and are facing the problem of re-adjustment in the family or society.
- Victims of mental maladjustment, emotional disturbances and social ostracism.
- Woman who is subjected to any act of domestic violence.
- Those who escape from their homes due to family problems, mental/physical treatment and counseling for their rehabilitation and re-adjustment in family/society.
- Children accompanying the mother or born in the Institution may be permitted to stay in the Home only up to the age of 7 years, after which they may be transferred to Children's Institutions or provided foster care facilities.

Pattern of Assistance:—

Item	Per month	Annual
A-Salary (Shelter Home Management)	(Amount in Rupees)	
Women Protection Officer	16,000	1,92,000
Training and Rehabilitation Officer	10,000	1,20,000
Medical Doctor (Part time)	8,000	96,000
Counsellor (Full time)	12,000	1,44,000
Clerk (Typing, Accounting and store keeper)	6,000	72,000
Chowkidar/Peon (two persons per Home)	4,000 per person	96,000
Caregivers (3 persons per Home)	8,000 per person	2,88,000
Total	84,000	10,08,000

B-Other Recurring		
Office Contingencies	50,000
Medical Expenses	24,000
Maintenance of Residents @ (Rs. 1000 per resident per month for minimum 20 and maximum 35 residents)	1,000 per resident per month	Depends on actual No. of residents
Rehabilitation Expenses	...	40,000
Rent #	12,000	1,44,000
Maintenance and dietary allowance @ Rs. 500/- per child, per month, if any (maximum 7 children)	500 per child per month	Depends on actual No. of children
C-Non-recurring expenditure on Shelter Home to be released for every five years		
Item	Per month	Annual
Assistance for office furniture, beds, bedding, machines and other items of permanent use by the residents		1,00,000
Recreation & Development activities (TV, radio and Indoor Games)		50,000
Total		1,50,000

Recurring grant will be released in two installments or at one time. Non-recurring grant will be released for every five years.

For this scheme there will be a State Level Committee which will consist of:

- | | |
|--|---------------|
| (i) Minister (Women & Child Development) | — Chairperson |
| (ii) District Magistrate (North & South) | — Members |
| (iii) Superintendent of Police (Crime) | — Member |
| (iv) NGO implementing the Scheme | — Member |
| (v) Chairperson/Sarpanch of Village Panchayat/Municipality in whose jurisdiction the SHW is situated | — Member |
| (vi) Chairperson of Goa State Commission for Women | — Member |
| (vii) Director of Women & Child Development | — Member |

Tasks to be performed by this Committee are:— (i) To monitor and review the functioning of these Homes;

- (ii) To suggest steps for sustainable rehabilitation of the inmates and to review the measures;
- (iii) To review the steps for the safety of inmates;
- (iv) To review the facilities available to the inmates;
- (v) To encourage community participation in these efforts; and
- (vi) To link other schemes with these Homes.

District Level Monitoring Committee:— For this scheme there will be a District Level Monitoring Committee which will consist of:

- | | |
|----------------------------|---------------|
| District Programme Officer | — Chairperson |
| Chief Medical Officer | — Member |

Police Inspector of respective jurisdiction	— Member
Representative of District Legal Service Authority, North Goa	— Member
Representative of the Municipal Corporations/ /Panchayati Raj Institutions	— Member
Probation Officer, Dte. of Women & Child Development	— Member
Social Welfare Officer, Dte. of Women & Child Development	— Member Secretary

Tasks to be performed by this Committee are:— (i) To ensure smooth functioning of Shelter Homes receiving grants under the scheme, identifying gaps and suggesting steps that would lead to their better functioning.

(ii) The committee shall meet at least once in a quarter.

It should be ensured that at least two members of the District Level Monitoring Committee shall be women. Each implementing agency will submit the Quarterly Progress Report (QPR) of Shelter Home for Women, list of Rehabilitated Women and list of inmates etc. in the prescribed format to the District Level Monitoring Committee.

Eligibility conditions:—

- The organization should have a properly constituted Managing Body with its powers, duties and responsibilities clearly defined and laid down in written.
- The organization should have been registered under some enactment.
- The organization should have experience of working in the field of women and child welfare or related area or should show evidence of competence to take up the proposed scheme.
- Its financial position should be sound.

- It should have facilities resources, experience and personnel to initiate the scheme for which assistance is sought.

- It should not be run for profit to any individual or body of individuals.

- Its services should be open to all without distinction of caste, religion or language.

Other conditions:—

- The organization shall utilize the grant for the purpose for which it is granted.

- The sanctioning authority may sanction the grant at one time or in installments depending upon the credibility of the organization.

- The organization shall not refuse the admission of the woman beneficiary recommended by the Government.

- The Home and its record shall be open for inspection to be conducted by the Government.

- Sanctioning of recurring grant subsequent year/installment depends upon the proper utilization of grant sanctioned earlier.

- The organization will not receive a grant from any other source for the same purpose and activity. However, there would be no objection if funds for the additional beneficiaries or supportive services are obtained from some other source.

Procedure for Applying:— Proposal in the prescribed application form should be submitted for sanctioning grants under the scheme to:

The Director,
Directorate of Women & Child Development,
2nd Floor, Old Education Department
Building,
18th June Road, Panaji, Goa.

Documents to be enclosed:— As in item 14 of the application form.

Inspection:— Inspection of the Shelter Home shall be conducted by the Social Welfare Officer, Directorate of Women & Child

Development, on submission of application complete in all respects by the Shelter Home officials.

**Application form for submitting proposal for sanction of grant
under the Scheme for Shelter Homes for Women**

Part-I

(To be completed by the Applicant)

1. Name of the Institution/Organization: _____
2. Objectives of the Institution/Organization: _____
3. Brief history of the Institution/Organization and its objectives and activities: _____
4. Whether registered under Indian Societies Registration Act (Act XXI of 1860): _____
5. Whether located in its own/rented building: _____
6. Whether the project is likely to be assisted by some other official or non-official source (if so give details thereof): _____
7. Justification for the project including its important features which entitle it to Assistance under the Scheme: _____
8. Total estimated expenditure on the Shelter Home for Women for one year:
 - (i) Non-recurring- Rs. _____
 - (ii) Recurring- Rs. _____
 - (iii) Period for which recurring assistance is required-
9. Amount of grant requested, estimated expenditure:
 - (i) Non-recurring- Rs. _____
 - (ii) Recurring- Rs. _____
 - (iii) Period for which recurring assistance is required-
10. Is accommodation available for running the Shelter Home for Women or temporary shelter is proposed to be improvised? Proposed location of Shelter Home for Women with full address: _____
11. Whether the institution is in a position to meet excess expenditure? If so, indicate the sources: _____
12. List of papers/statements to be attached:
 - (i) Prospectus or a note giving aims and objects of the Institution/Organization- _____
 - (ii) Constitution of the Institution/Organization- _____
 - (iii) Constitution of the Board of Management with brief particulars of each members- _____
 - (iv) Latest available annual report, audited accounts for the last two years along with a copy of the certified balance sheet for the previous year- _____
 - (v) A statement giving details (year, purpose, amount, etc.) of assistance/grant received during the last two years from the Central/State Government Institutions /N.G.O./foreign assistance including requests made _____

thereof to any of those or any other organization for the project under consideration-

(vi) A statement giving item-wise and year-wise details of estimated recurring and non-recurring expenditure on the proposed project-

(vii) List of additional papers, if any-

(viii) Additional information, if any-

(ix) Does the Institution/Organization work for profit to any individual or body of individual?

Signature of Secretary/President

Part-II

(To be filled by the Social Welfare Officer in the Directorate of Women & Child Development)

Recommendations

The application from _____ institution/organization) is recommended with following comments:

- I. That the undersigned has visited the institution/organization and a copy of the report is attached/has not visited the institution/organization.
- II. That the institution/organization is recognized and/or registered (under Indian Societies Registration Act, 1860) and the registration is valid.
- III. That the application has been examined and that it is found to be covered under the scheme.
- IV. That the scheme for which the application is being recommended is absolutely essential for women and girls who have no social or family support.
- V. That the work of the institution/organization has been reported (whether such reporting is necessary) as satisfactory during the last two years.
- VI. That the institution/organization is not run for profit to any individual or a body of individuals.
- VII. That assistance has/has not been given by the State Govt.

Signature of Social Welfare Officer
(Office Stamp)

This notification shall come into force with effect from the FY 2024-2025 onward subject to department having adequate funds against the head.

This issues with approval of the Government vide No. 358 dated 27-12-2023 and concurrence of the Finance (Exp.) Department vide U. O. No. 1400096502 dated 26-02-2024.

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

Sangeeta Porob, Director & ex officio Joint Secretary (Women & Child Development).

Panaji, 14th May, 2024.

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