

**The Goa Information Technology
Development Act, 2007 & Rules, 2011**

The Goa Information Technology Development Act, 2007

The Goa Information Technology Development Act, 2007 (Act 10 of 2007) [1-8-2007] published in the Official Gazette, Series I No. 18 dated 6-8-2007 and came into force w.e.f. 25th November, 2006.

The Goa Information Technology Development Rules, published in the Official Gazette, Series I No. 46 dated 10-2-2011 and came into force at once.

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GOVERNMENT OF GOA
Department of Information Technology

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Notification

7-5-2007-LA

The Goa Information Technology Development Act, 2007 (Goa Act 10 of 2007), which has been passed by the Legislative Assembly of Goa on 25-1-2007 and assented to by the Governor of Goa on 1-8-2007, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 6th August, 2007.

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The Goa Information Technology Development Act, 2007

(Goa Act 10 of 2007) [1-8-2007]

AN

ACT

to make special provision for securing the orderly establishment of Integrated Information Technology Township/Information Technology Parks in the State of Goa, to assist generally in the organization thereof, and for that purpose to establish an Information Technology Development Corporation, and for purposes connected with the matters aforesaid.

Be it enacted by the Legislative Assembly of Goa in the fifty-seventh year of the Republic of India as follows:

CHAPTER I

Preliminary

1. Short title, extent and commencement.— (1) This Act may be called the Goa Information Technology Development Act, 2007.

(2) It extends to the whole of the State of Goa.

(3) It shall be deemed to have come into force with effect from 25th November, 2006.

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

(a) “amenity” includes road, supply of water or electricity, street lighting, drainage, sewage, conservancy and such other connivance as the Government may, by

notification in the Official Gazette, specify to be an amenity for the purposes of this Act;

(b) “building” means any structure or erection, or a part of a structure or erection, which is intended to be used for residential, industrial, commercial or other purposes, whether in actual use or not;

(c) “Collector” means the Collector of the district, and includes any Officer specially appointed by the Government to perform the functions of a Collector under this Act;

(d) “Corporation” means the Goa Information Technology Development Corporation established under section 3;

(e) “development” with its grammatical variations, means the carrying out of building, engineering, quarrying or other operations, in, on, over or under land, or the making of any material change on any building or land, and includes re-development, but does not include mining operations and “to develop” shall be construed accordingly;

(f) “engineering operation” include the formation or laying out of means of access to a road or the laying out of means of water supply;

(g) “Integrated IT Township/IT Parks” means any site selected by the Government where the Corporation shall develop plots, build factories other buildings and make them available for Integrated Information Technology Township/Information Technology Parks;

(h) “means of access” includes a road, wharf or any means of access, whether private or public, for vehicles or boats or for foot passengers;

(i) “premises” means any land or building or part of a building and includes—

(i) the garden, grounds and out-houses, if any, appertaining to such building or part of a building; and

(ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;

(j) “prescribed” means prescribed by rules made under this Act;

(k) the expression “land” and the expression “person interested” shall have the meanings respectively assigned to them in section 3 of the Land Acquisition Act, 1894 (1 of 1894);

(l) “Government” means the Government of Goa.

CHAPTER II

Establishment and Constitution of the Corporation

3. Establishment and incorporation.— (1) For the purpose of securing and assisting in the rapid and orderly establishment and organization of Integrated Information Technology Township/Information Technology Parks, there shall be established by the

Government, by notification in the Official Gazette, a Corporation by the name of the Goa Information Technology Development Corporation.

(2) The said Corporation shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name, and shall be competent to acquire, hold and dispose of property, both movable and immovable, and to contract, and do all things necessary for the purposes of this Act.

4. Constitution.— (1) The Corporation shall consist of the following ten Directors, that is to say—

- (a) Minister-in-charge of Information Technology Department.
- (b) Four Directors to be nominated by the Government.
- (c) Secretary to the Government of Goa in the Finance Department.
- (d) Secretary to the Government of Goa in the Information Technology Department.
- (e) Director of Information Technology.
- (f) Managing Director, Goa Industrial Development Corporation (GIDC).
- (g) Managing Director, Goa Information Technology Development Corporation (GITDC).

(2) The Minister in-charge of the Information Technology Department will be the Chairman of the Corporation.

(3) The Government shall appoint one of the Directors of the Corporation to be the Vice-Chairman of the Corporation.

5. Disqualification for Director.— A person shall be disqualified for being nominated as a Director of the Corporation, if he—

- (a) is an employee of the Corporation, not being the Managing Director; or
- (b) is of unsound mind, and stands so declared, by a competent Court; or
- (c) is an undischarged insolvent; or
- (d) is convicted of an offence involving moral turpitude within a period of five years immediately before his being nominated as Director.

6. Term of office and conditions of service of Director.— (1) The Chairman and Directors of the Corporation nominated under clause (b) of sub-section (1) of section 4, shall hold office for a period of 3 years from the date of their nomination unless their term of office is terminated earlier by the Government.

(2) The Directors of the Corporation nominated under clause (b) of sub-section (1) of section 4 shall be entitled to draw such honorarium or compensatory allowance for the purpose of meeting the personal expenditure in attending the meetings of the Corporation or of any Committee thereof or when appointed in connection with the work undertaken by or for the Corporation as may be prescribed by the Government from time to time.

(3) It is hereby declared that the office of Director or Chairman of the Corporation, in so far as it is an office of profit under the Government of India, or the Government of any State, or the Government of any Union Territory, shall not disqualify the holder for being chosen as, and for being a member of the Legislative Assembly of Goa.

7. Meetings of Corporation.— (1) The Corporation shall meet at such times and places, and shall, subject to the provisions of sub-section (2), observe such rules of procedure in regard to the transaction of its business as may be provided by regulations made under this Act.

(2) A Director, who is directly or indirectly concerned or interested in any contract, loan, arrangement or proposal entered into or proposed to be entered into by or on behalf of the Corporation shall, at the earliest possible opportunity, disclose the nature of his interest to the Corporation when any such contract, loan, arrangement or proposal is discussed.

8. Cessation of Director.— (1) If a Director,—

(a) becomes, subject to any of the disqualifications mentioned in section 5; or

(b) tenders his resignation in writing to, and such resignation is accepted by the Government; or

(c) is absent without the Corporation's permission from three consecutive meetings of the Corporation, or from all meetings of the Corporation for three consecutive months; or

(d) is convicted of an offence involving moral turpitude, he shall cease to be a Director of the Corporation.

(2) The Government may, by order, suspend from office for such period as it thinks fit or remove from office any Director of the Corporation, who in its opinion,—

(a) has refused to act; or

(b) has become incapable of acting; or

(c) has so abused his position as Director as to render his continuance on the Corporation detrimental to the interest thereof or of the general public; or

(d) is otherwise unfit to continue as a Director:

Provided that, a Director shall not be suspended or removed from office unless he has been given reasonable opportunity to show cause against the order.

9. Vacancies how to be filled.— Any vacancy of a Director of the Corporation shall be filled as early as practicable, in like manner as if the appointment was being made originally:

Provided that during any such vacancy, the continuing Directors may act as if no vacancy had occurred.

10. Temporary absence of Directors.— (1) If the Chairman or any other Director of the Corporation is by reason of illness or otherwise rendered temporarily incapable of carrying out his duties, or is granted leave of absence by the Government, or is otherwise unable to attend his duties in circumstances not involving the cessation of his Directorship, the Government may appoint another person to act for him and carry out his duties and functions by or under this Act. Such person shall vacate office on the date when the Director for whom he is acting resumes his duties.

(2) In the absence of the Chairman, the Directors present shall choose the Presiding Officer to preside over the meeting.

11. Proceeding presumed to be good and valid.— No disqualification of, or defect in the appointment of, any person acting as the Chairman or as a Director of the Corporation, shall vitiate any act or proceeding of the Corporation if such act or proceeding is otherwise in accordance with the provisions of this Bill.

12. Officers and servants of the Corporation.— (1) The State Government shall appoint a Managing Director and a Chief Accounts Officer of the Corporation.

(2) The Corporation may appoint, such other officers and servants, subordinate to the officers mentioned in sub-section (1), as it considers necessary for the efficient performance of its duties and functions.

(3) The conditions of appointment and service of the officers and servants of the Corporation and their scales of pay shall,—

(a) as regards the Managing Director and the Chief Accounts Officer, be such as may be prescribed; and

(b) as regards the other officers and servants, be such as may be determined by regulations made under this Act.

CHAPTER III

Functions and Powers of the Corporation

13. Functions.— The functions of the Corporation shall be,—

(i) generally to promote and assist in the rapid and orderly establishment, growth and development of Integrated IT Townships/IT Parks in the State of Goa.

(ii) In particular, and without prejudice to the generality of clause (i), to—

(a) establish and manage Integrated IT Township/IT Parks at places selected by the Government;

(b) develop areas selected by the Government for the above purpose and make them available for undertakings to establish themselves;

(c) undertake schemes or works, either jointly or on agency basis, with other corporate bodies or institutions, or with Government in furtherance of the purposes for which the Corporation is established and all matters connected therewith.

(iii) generally to support and assist the Government in development of e-Governance applications required to be developed to serve citizens and business.

(iv) In particular, and without prejudice to the generality of clause (iii), to—

(a) undertake software development projects selected by the Government.

(b) undertake the activities of providing required hardware to various Government departments as directed by the Government.

(c) undertake the activities of local area network and electrical cabling work required to connect IT hardware and UPS etc. in various departments as directed by the Government.

(d) undertake above activities either directly or jointly or agency basis with other corporate bodies or institutions.

14. General powers of the Corporation.— Subject to the provisions of this Act, the Corporation shall have power,—

(a) to acquire and hold such property, both movable and immovable, as the Corporation may deem necessary for the performance of any of its activities, and to lease, sell, exchange or otherwise transfer any property held by it on such conditions as may be deemed proper by the Corporation;

(b) to provide or cause to be provided amenities and common facilities in Integrated IT Township/IT Parks and construct and maintain or cause to be constructed and maintained works and buildings therefor;

(c) to make available buildings on hire or on sale to industrialists or persons intending to start Information Technology industries;

(d) to construct buildings for the housing of the employees;

(e) (i) to allot buildings or parts of buildings, including residential tenements to suitable persons in the Integrated IT Township/IT Parks established or developed by the Corporation;

(ii) to modify or rescind such allotments, including the right and power to evict the allottees concerned on breach of any of the terms or conditions of their allotment;

(f) to constitute advisory committee to advise the Corporation;

(g) to engage suitable consultants or persons having special knowledge or skill to assist the Corporation in the performance of its functions;

(h) subject to the previous permission of the Government, to delegate any of its powers generally or specially to any of its committees or officers, and to permit them to re-delegate specific powers to their subordinates;

(i) to enter into and perform all such contracts as it may consider necessary or expedient for carrying out any of its functions; and

(j) to do such other things and perform such acts as it may think necessary or expedient for the proper conduct of its functions and the carrying into effect the purposes of this Act.

15. Authentication of orders and documents of Corporation.— All permissions, orders, decisions, notices and other documents of the Corporation shall be authenticated by the signature of the Managing Director of the Corporation or any other Officer authorised by the Corporation in this behalf.

16. Directions by the Government.— The Government may issue to the Corporation such general or special directions as to policy as it may think necessary or expedient for the purpose of carrying out the purposes of this Act, and the Corporation shall be bound to follow and act upon such directions.

CHAPTER IV

Finance, Accounts and Audit

17. Application of Corporation's assets.— All property, funds and other assets vesting in the Corporation shall be held and applied by it, subject to the provisions and for the purposes of this Act.

18. Corporation's fund.— (1) The Corporation shall have and maintain its own fund, to which shall be credited,—

(a) all monies received by the Corporation by way of grants, subventions, loans, advances or otherwise;

(b) all fees, costs and charges received by the Corporation under this Act;

(c) all monies received by the Corporation from the disposal of lands, buildings and other properties, movable and immovable, and other transactions;

(d) all monies received by the Corporation by way of rents and profits, or in any other manner or from any other source including the proceeds of any loan authorised by section 20.

(2) The Corporation may keep in current or in deposit account with the State Bank of India or any other Bank approved by the Government in this behalf such sum of money out of its fund as may be prescribed and any money in excess of the said sum shall be invested in such manner as may be approved by the Government.

(3) Such accounts shall be operated upon by such officers of the Corporation as may be authorised by it by regulations made in this behalf.

19. Grants, subventions, loans and advances and capital contribution to the Corporation.— The Government may, after due appropriation made by the Legislature by any law in this behalf, make such grants, subventions, loans and advances and capital contributions to the Corporation as it may deem necessary for the performances of the functions of the Corporation under this Act; and all grants, subventions, loans and

advances and capital contribution made shall be on such terms and conditions as the Government may, after consulting the Corporation, determine.

20. Power of the Corporation to borrow.— The Corporation may, subject to such conditions as may be prescribed in this behalf, borrow money in the open market or otherwise with a view to providing itself with adequate resources.

21. Deposits.— The Corporation may accept deposits on such conditions as it deems fit from persons, authorities or institutions to whom allotment or sale of land, buildings or sheds is made or is likely to be made in furtherance of the objects of this Act.

22. Reserve and other funds.— (1) The Corporation shall make provision for reserve and other specially denominated funds as the Government may, from time to time, direct.

(2) The management of the funds referred to in sub-section (1), the sums to be transferred from time to time to the credit thereof and the application of money comprised therein, shall be determined by the Corporation.

(3) None of the funds referred to in sub-section (1) shall be utilized for any purpose other than that for which it was constituted, without the previous approval of the Government.

23. Expenditure from funds.— (1) The Corporation shall have the authority to spend such sums as it thinks fit for the purposes authorised under this Act from and out of the general fund of the Corporation referred to in section 18 or from the reserve and other funds referred to in section 22, as the case may be.

(2) Without prejudice to the generality of the power conferred by sub-section (1), the Corporation may contribute such sums as it thinks fit towards expenditure incurred or to be incurred by any local authority or statutory public undertaking in the performance of the statutory functions of such authority or undertaking, including expenditure incurred in the acquisition of land.

24. Budget and programme of work.— (1) The Corporation shall, by such date in each year as may be prescribed, prepare and submit to the Government for approval an annual financial statement and the programme of work for the succeeding financial year.

(2) The annual financial statement shall show the estimated receipts and expenditure during the succeeding financial year in such form and detail as may be prescribed.

(3) The Corporation shall be competent to make variations in the programme of work in the course of the year, provided that, all such variations and re-appropriations out of the sanctioned budget are brought to the notice of the Government by a supplementary financial statement.

(4) A copy each of the annual financial statement and the programme of work and the supplementary financial statement, if any, shall be placed before the Legislative Assembly as soon as may be after their receipt by the Government.

25. Accounts and audit.— (1) The Corporation shall maintain books of accounts and other books in relation to its business and transaction in such form, and in such manner, as may be prescribed.

(2) The accounts of the Corporation shall be audited by an auditor appointed by the Government, in the prescribed manner.

(3) As soon as the accounts of the Corporation are audited, the Corporation shall send a copy thereof with a copy of the report of the auditor thereon to the Government.

(4) The Government shall cause the accounts of the Corporation together with the audit report thereon forwarded to it under sub-section (3) to be laid annually before the Legislative Assembly.

26. Concurrent and special audit of accounts.— (1) Notwithstanding anything contained in section 25, the Government may order that there shall be concurrent audit of the accounts of the Corporation by such persons as it thinks fit. The Government may also direct a special audit to be made by such person as it thinks fit of the accounts of the Corporation relating to any particular transaction or class or series of transaction or to a particular period.

(2) When an order is made under sub-section (1), the Corporation shall present or cause to be presented for audit such accounts and shall furnish the person appointed under sub-section (1) such information as the said person may require for the purpose of audit.

CHAPTER V

27. Acquisition of land for the Corporation to be a public purpose.— Any land required by the Corporation for carrying out any of its functions shall be deemed to be needed for a public purpose and may be acquired under the provisions of the Land Acquisition Act, 1894 (Central Act 1 of 1894) or any other law for the time being in force.

28. Disposal of land by the Corporation.— (1) Subject to any directions given by the Government under this Act, the Corporation may dispose of,—

(a) any land acquired by the Government and transferred to it, without undertaking or carrying out any development thereon; or

(b) any such land after undertaking or carrying out such development as it thinks fit, to such persons in such manner and subject to such terms and conditions, as it considers expedient for securing the purposes of this Act.

(2) The powers of the Corporation with respect to the disposal of land under sub-section (1) shall be so exercised as to secure so far as practicable, that—

(a) where the Corporation proposes to dispose of by sale any such land without any development having been undertaken or carried out thereon, the Corporation shall offer the land in the first instance to the person from whom it was acquired, if they desire to purchase it, subject to such requirements as to its development and use as the Corporation may think fit to impose;

(b) persons who are residing or carrying on business or other activities on any such land shall, if they desire to obtain accommodation on land belonging to the Corporation and are willing to comply with any requirements of the Corporation as to its development and use, have an opportunity to obtain thereon accommodation suitable to their reasonable requirements on terms settled with due regard to the price at which any such land has been acquired from them.

(3) Nothing in this Act shall be construed as enabling the Corporation without the approval of the Government to dispose of land by way of gift, mortgage or charge, but subject as aforesaid any reference in this Act to the disposal of land shall be construed as a reference to the disposal thereof in any manner, whether by way of sale, exchange or lease or by the creation of any easement, right or privilege or otherwise.

29. Government lands.— (1) For the furtherance of the objects of this Act, the Government may, upon such conditions as may be agreed upon between that Government and the Corporation, place at the disposal of the Corporation any lands vested in the Government.

(2) After any such land has been developed by, or under the control and supervision of the Corporation, it shall be dealt with by the Corporation in accordance with the regulations made, and directions given by the Government in this behalf.

(3) If any land placed at the disposal of the Corporation under sub-section (1) is required at any time thereafter by the Government, the Corporation shall replace it at the disposal of the Government upon such terms and conditions as may be mutually agreed upon.

CHAPTER VI

Supplementary and Miscellaneous Provisions

30. Powers of Corporation in case of certain defaults by owner of land Integrated IT Townships/IT Parks.— (1) If the Corporation, after holding a local inquiry or upon report from any of its officers or other information in its possession, is satisfied that the owner of any land in Integrated IT Townships/IT Parks has failed to provide any amenity in relation to the land which in the opinion of the Corporation ought to be provided or has failed to carry out any development of the land for which permission has been obtained under this Act, the Corporation may serve upon the owner a notice requiring him to provide the amenity or carry out the development within such time as may be specified in the notice.

(2) If any such amenity is not provided or any such development is not carried out within the time specified in the notice, then, the Corporation may itself provide the amenity or carry out the development or have it provided or carried out through such agency as it deems fit:

Provided that before taking any action under this sub-section, the Corporation shall afford reasonable opportunity to the owner of the land to show cause as to why such action should not be taken.

(3) All expenses incurred by the Corporation or the agency employed by it in providing the amenity or carrying out the development together with interest at such rate as the Government may by order fix, from the date when a demand for the expenses is made until payment, shall be recoverable by the Corporation from the owner.

31. Order of demolition of building.— (1) Where the erection of any building in an Integrated IT Township/IT Parks has been commenced, or is being carried on, or has been completed, or any existing building is altered, in contravention of the terms on which such building or the land on which it stands is held or granted under this Act, or any rules made thereunder, any officer of the Corporation empowered by it in this behalf may, in addition to any prosecution that may be instituted under this Act, make an order directing that such erection shall be demolished by the owner thereof within such period not exceeding two months as may be specified in the order, and on the failure of the owner to comply with the order, the officer may himself cause the erection to be demolished and the expenses of such demolition shall be recoverable by the Corporation from the owner:

Provided that, no such order shall be made unless the owner has been given a reasonable opportunity to show cause why the order should not be made.

(2) Any person aggrieved by an order under sub-section (1) may appeal against that order within thirty days from the date thereof to a Committee of the Corporation set up for the purpose by regulations made in this behalf. Such Committee may, after hearing the parties to the appeal, either allow or dismiss the appeal or reverse or vary the order or any part of it.

(3) The decision of the Committee on the appeal and subject only to such decision, the order made by the officer under sub-section (1), shall be final.

32. Power to stop building operations.— (1) Where the erection of any building in an Integrated IT Township/IT Parks has been commenced, or is being carried on, or has been completed, or any existing building is altered, in contravention of the terms on which such building or the land on which it stands is held or granted under this Act or any rules made thereunder any officer of the Corporation empowered in this behalf may, in addition to any prosecution that may be instituted under this Act, make an order requiring the building operations in relation to such erection to be discontinued on and from the date of service of the order.

(2) Where such building operations are not discontinued in pursuance of the requisition under sub-section (1), the Corporation or the officer empowered as aforesaid may require any police officer to remove the person by whom the erection of the building has been commenced and all his assistants and workmen from the place of the building within such time as may be specified in the requisition and such police officer shall comply with the requisition accordingly.

(3) After a requisition under sub-section (2) has been complied with, the Corporation or the officer empowered as aforesaid may depute by a written order a police officer or an officer, or employee of the Corporation to watch the place in order to ensure that the erection of the building is not continued.

(4) Any person failing to comply with an order made under sub-section (1) shall, on conviction, be punished with fine which may extend to two hundred rupees for everyday during which such non-compliance continues after the service of the order.

(5) No compensation shall be claimable by any person for any damage or loss which he may sustain in consequence of any order made under this section.

33. Penalty for construction or use of land and buildings contrary to terms of holding.— (1) Any person who, whether at his own instance or at the instance of any other person, undertakes or carries out construction of or alterations to any building in an Integrated IT Township/IT Parks contrary to the terms under which he holds such building or land under this Act or any rules made thereunder, shall, on conviction, be punished with fine which may extend to ten thousand rupees; and in the case of a continuing contravention, with a further fine which may extend to five hundred rupees for everyday during which such offence continues after conviction for the first commission of the offence.

(2) Any person who uses any land or building in an Integrated IT Township/IT Parks contrary to the terms under which he holds such land or building under this Act or any rules made thereunder or in contravention of the provisions of any regulations made in this behalf shall, on conviction, be punished with fine which may extend to five thousand rupees.

34. Power to lay pipe lines, etc.— (1) Within any area taken up for development under sub-clause (b) of clause (ii) of section 13, the Corporation or any person empowered in this behalf by the Government, by notification in the Official Gazette (hereinafter in this section referred to as “the authorized person”), may, for the purposes of (a) carrying gas; water or electricity from a source of supply to the said area or (b) constructing any sewers or drains necessary for carrying off the workings and waste liquids of an industrial process through, any intervening area, lay down, place, maintain, alter, remove or repair any pipes, pipe lines, conduits, supply or services lines, posts or other appliances or apparatus in, on, under, over, along or across, any land in such areas.

(2) The Corporation or the authorized person may at any time enter upon any land in any such area and in such event the provisions of section 35 shall mutatis mutandis apply.

(3) While exercising the power conferred by sub-section (1), the Corporation or the authorized person shall cause as little damage as possible to property. Full compensation to all persons interested for any damage sustained by them in consequence of the exercise of such power as aforesaid shall be paid, as the case may be, by the Corporation, or in the case of the authorized person, by the State Government.

(4) Nothing herein shall authorize or empower the Corporation or the authorized person to lay down or place any pipe or other works into, through or against any building or in any land not dedicated to public use without the consent of the owners and occupiers thereof, except that the Corporation or such person may at any time enter upon and lay or place any new pipe in the place of an existing pipe in any land wherein any pipe has been already lawfully laid down or placed in pursuance of this Act, and may repair or alter any pipe so laid down:

Provided that, nothing in the aforesaid provision shall be construed to mean that the Corporation or other person is forbidden from having the said land acquired at any time by the Government in the normal course.

35. Powers of entry.— Any officer of the Government, any member of the Corporation, and any person, either generally or specially authorized by the Corporation in this behalf, may enter into or upon any land or building with or without assistants or workmen for the purpose of,—

- (a) making any inspection, survey, measurement, valuation or enquiry or taking levels of such land or building;
- (b) examining works under construction and ascertaining the course of sewers and drains;
- (c) digging or boring into the sub-soil;
- (d) setting out boundaries and intended lines of work;
- (e) marking such levels, boundaries and lines by placing marks and cutting trenches;
- (f) doing any other thing necessary for the efficient administration of this Act:

Provided that,—

- (i) no such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or if there be no occupier, to the owner of the land or building;
- (ii) sufficient opportunity shall in every instance be given to enable women (if any) to withdraw from such land or building;
- (iii) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the land or building entered.

36. Officers of the Corporation may be vested with other powers.— The Government may, by notification in the Official Gazette, nominate any officer of the Corporation to be a controller or licensing authority under any law for the time being in force relating to the procurement or distribution of any commodity in respect of the industrial undertakings established or to be established in the Integrated IT Township/IT Parks entrusted to or developed by the Corporation and no such nomination shall be called into question merely on the ground that such officer is not an officer of the Government.

37. Overriding powers of Government to issue directions to local authorities.— Notwithstanding anything contained in any other law, or in any license or permit, if the Government is satisfied, either on a recommendation made in this behalf by the Corporation or otherwise, that the setting up of an industrial undertaking in the Integrated IT Township/IT Parks is impeded by a local authority's refusal to grant, or by such authority's insistence on conditions which the Government considers unreasonable for the grant of, any amenity, the Government may direct the local authority to grant the said

amenity on such conditions as it may consider fit; and thereupon the amenity shall be granted:

Provided that the charge to be paid for granting or continuing such amenity to the local authority concerned is not less than the cost to the local authority or licensee concerned for providing such amenity:

Provided further that, no such direction shall be issued by the Government unless the local authority shall have been given a reasonable opportunity to show cause why any such direction should not be made.

38. Declaration as Integrated IT Township/IT Parks.— (1) Notwithstanding anything to the contrary contained in any other law for the time being in force, the Government may, by notification in the Official Gazette,

(a) declare an area which is—

(1) earmarked as Integrated IT Township/IT Parks; and

(2) having adequate facilities in respect of power, roads, water supply, to be notified area;

(b) appoint the Corporation or any Officer or Committee thereof for the purpose of the assessment and recovery of any taxes when imposed as per the provisions made thereof;

(c) declare that the provisions of any law relating to local authorities providing for control or erection of buildings, levy and collection of taxes, fees and other dues to the local authority which is in force in that area shall cease to apply and thereupon such provisions shall cease to apply thereof:

Provided that the Municipalities and the Village Panchayats which were receiving house tax from the occupants in the Integrated IT Township/IT Parks under their respective laws, shall be compensated by the Government to the extent of the last financial year's collection of taxes for such period as may be determined by the Government which shall not be less than five years;

(d) make other provision as is necessary for the purpose of the enforcement of the provisions so provided to that area.

(2) Before the publication of a notification under sub-section (1), the Government shall cause to be published in the Official Gazette and also in at least one newspaper published in a language other than English and circulating in the area to be specified in the notification, and inviting from all persons who have any objections to the said proposal, to submit the same in writing with reasons therefore to the Government within two months from the date of publication of the proclamation in the Official Gazette.

(3) No such notification under sub-section (1) shall be issued by the Government, unless the objections, if any, so submitted under sub-section (2), are, in its opinion, insufficient or invalid.

39. Recovery of sums due to the Corporation as arrears of land revenue.— All sums payable by any person to the Corporation or recoverable by it by or under this Act and all charges or expenses incurred in connection therewith shall, without prejudice to any other mode of recovery, be recoverable as arrears of land revenue on the application of the Corporation.

40. Service of notices, etc.— (1) All notices, orders and other documents required by this Act or any rule or regulation made thereunder to be served upon any person shall, save as otherwise provided in this Act or such rule or regulation be deemed to be duly served—

(a) where the person to be served is a company, the service is effected in accordance with the provisions of section 51 of the Companies Act, 1956 (1 of 1956);

(b) where the person to be served is a firm, if the document is addressed to the firm at its principal place of business identifying it by the name or style under which its business is carried on, and is either—

- (i) sent under a certificate of posting or by registered post; or
- (ii) left at the said place of business;

(c) where the person to be served is a statutory public body or a corporation or a society or other body, if the document is addressed to the secretary, treasurer or other chief officer of that body, corporation or society, at its principal office and is either—

- (i) sent under a certificate of posting or by registered post; or
- (ii) left at that office;

(d) in any other case, if the document is addressed to the person to be served and—

- (i) is given or tendered to him; or
- (ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building to which it relates; or

(iii) is sent under a certificate of posting or by registered post to that person.

(2) Any document which is required or authorised to be served on the owner or occupier of any land or building may be addressed to “the owner” or “the occupier”, as the case may be, of that land or building (naming that land or building) without further name or description, and shall be deemed to be duly served—

(a) if the document so addressed is sent or delivered in accordance with clause (d) of sub-section (1); or

(b) if the document so addressed or a copy thereof so addressed, is given or tendered to some person on the land or building or, where there is no person on the land or

building to whom it can be delivered, is affixed on some conspicuous part of the land or building.

(3) Where a document is served on a firm in accordance with this section, the document shall be deemed to be served on each partner.

(4) For the purpose of enabling any document to be served on the owner of any property, the occupier (if any) of the property may be required by notice in writing by the Government or the Corporation, as the case may be, to state the name and address of the owner thereof.

41. Public notices how to be made known.— Every public notice given under this Act or any rule or regulation made thereunder shall be in writing over the signature of the officer concerned and shall be widely made known in the locality to be affected thereby affixing copies thereof in conspicuous public places, within the said locality, or by publishing the same by beat of drum or by advertisement in a local newspaper, or by any two or more of these means, and by any other means that the officer may think fit.

42. Notices, etc., to fix reasonable time.— Where any notice, order or other document issued or made under this Act or any rule or regulation made thereunder requires anything to be done for the doing of which no time is fixed by this Act or the rule or regulation, the notice, order or other document shall specify a reasonable period of time for doing the same or complying therewith.

43. Furnishing of returns etc.— (1) The Corporation shall furnish to the Government such returns, statistics, reports, accounts and other information with respect to its conduct of affairs, properties or activities or in regard to any proposed work or scheme as the Government may from time to time require.

(2) The Corporation shall, in addition to the audit report referred to in section 25, furnish to the Government an annual report on its working as soon as may be after the end of each financial year in such form and detail as may be prescribed, and a copy of the annual report shall be placed before the Legislative Assembly as soon as may be after it is received by the Government.

44. Withdrawal of area or estate or part thereof.— Where the Government is satisfied that in respect of any particular Integrated IT Township/IT Parks, or, any part thereof, the purpose for which the Corporation was established under this Act has been substantially achieved so as to render the continued existence of such Township/Parks or area or part thereof under the Corporation unnecessary, the Government may, by notification in the Official Gazette, declare that such Integrated IT Township/IT Parks or part thereof has been removed from the jurisdiction of the Corporation. The Government may also make such other incidental arrangements for the administration of such estate or area or part thereof as the circumstances necessitate.

45. Default in performance of duty.— (1) If the Government is satisfied the Corporation has made a default in performing of any duty or obligation imposed or cast on it by or under this Act, the Government may fix a period for the performance of that duty or obligation and give notice to the Corporation accordingly.

(2) If, in the opinion of the Government, the Corporation fails or neglects to perform such duty or obligation within the period so fixed for its performance, it shall be lawful for the Government to supersede and reconstitute the Corporation, as it deems fit.

(3) After the supersession of the Corporation and until it is reconstituted in the manner laid down in Chapter II, the powers, duties and functions of the Corporation under this Act shall be carried on by the Government or by such officer or officers or body of officers as the Government may appoint for this purpose from time to time.

(4) All property vested in the Corporation shall, during the period of supersession, vest in the Government.

46. Dissolution of Corporation.— (1) Where the Government is satisfied that the purposes for which the Corporation was established under this Act have been substantially achieved so as to render the continued existence of the Corporation in the opinion of the Government unnecessary, the Government may, by notification in the Official Gazette, declare that the Corporation shall be dissolved with effect from such date as may be specified in the notification, and the Corporation shall be deemed to be dissolved accordingly.

(2) From the said date—

(a) all properties, funds and dues which are vested in, or realisable by the Corporation, shall vest in, or be realisable by the Government;

(b) all liabilities which are enforceable against the Corporation shall be enforceable against the Government.

47. Authority for prosecution.— Unless otherwise expressly provided, no Court shall take cognisance of any offence relating to property belonging to, or vested by or under this Act in the Corporation, punishable under this Act, except on the complaint of, or upon information received from, the Corporation or some person authorised by the Corporation by general or special order in this behalf.

48. Composition of offences by Corporation.— (1) The Corporation or any person authorised by the Corporation by general or special order in this behalf may, either before or after the institution of the proceedings, compound any offence made punishable by or under this Act.

(2) Where an offence has been compounded, the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence compounded.

49. Offence by companies.— (1) Whenever an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, or was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his

knowledge and that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer, they shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section—

(a) “company” means any body corporate, and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

50. Penalty for obstruction.— (1) Any person who obstructs the entry of a person authorised under section 35 or any person with whom the Corporation has entered into a contract for the performance and execution of any act by such person, to enter into or upon any land or building or molests such person after such entry or who obstructs the lawful exercise by him of any power conferred by or under this Act shall, on conviction by a competent Court, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(2) If any person removes any mark set up for the purpose of indicating any level, boundary line, or direction necessary to the execution of works authorised under this Act, he shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to Rs.1,000/- or with both.

51. Power to make rules.— (1) The Government, after consultation with the Corporation in regard to matters concerning it, may, by notification in the Official Gazette, make rules to carry out the purposes of this Act:

Provided that, consultation with the Corporation shall not be necessary on the first occasion of the making of rules under this section, but the Government shall take into consideration any suggestions which the Corporation may make in relation to the amendment of such rules after they are made.

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

(a) under section 6, the salary and allowances and honorarium of members of the Corporation;

(b) under section 12, the conditions of appointment and service and the scales of pay of the Managing Director and Chief Accounts Officer of the Corporation;

(c) under section 18, the sums of money to be kept by the Corporation in current and deposit accounts;

(d) under section 20, the condition subject to which the Corporation may borrow;

(e) under section 24, the date by which the annual financial statement and programme of work shall be submitted by the Corporation to the Government and the form and manner of preparing such statements;

(f) under section 25, the manner of maintaining accounts;

(g) under section 43, the form of, and the details to be given in the annual report;

(h) the fees which may be charged by the Corporation;

(i) any other matter which has to be, or may be, prescribed by the rules.

(3) All rules made under this section shall be laid for not less than fourteen days before the Legislative Assembly as soon as possible after they are made, and shall be subject to such modifications as the Assembly may make during the session in which they are so laid, or the session immediately following.

52. Power to make regulations.— (1) The Corporation may, with the previous approval of the Government, make regulations consistent with this Act and the rules made thereunder to carry out the purposes of this Act and without prejudice to the generality of this power, such regulations may provide for:—

(a) under section 7, the time and place of meetings of the Corporation and the procedure to be followed in regard to the transaction of business at such meetings;

(b) under section 12, the conditions of appointment and service and the scales of pay of officers and servants of the Corporation, other than the Managing Director and the Chief Accounts Officer;

(c) under section 18, the officer of the Corporation who may operate its accounts;

(d) under section 29, the manner in which Government lands shall be dealt with by the Corporation after development;

(e) under section 31, the Committee of the Corporation to hear appeals under that section and the procedure to be followed by it;

(f) under section 33, the additional terms and conditions subject to which lands and buildings in Integrated IT Township/IT Parks may be held or used;

(g) any other matter which has to be, or may be, provided by regulations.

(2) All regulations made under this section shall be published in the Official Gazette and shall be laid for not less than fourteen days before the Legislative Assembly as soon as possible after they are made, and shall be subject to such modifications as the Legislature may make during the session in which they are so laid, or the session immediately following.

53. Protection of action taken in good faith.— No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule or regulation made thereunder.

54. Notice to suit and limitation of suits against Corporation, Committees, Officers and servant for acts done in pursuance of execution of this Act.— (1) No suit shall lie against the Corporation or against any Committee constituted under this Act, or against any Officer, or servant of the Corporation in respect of any act done in pursuance of execution or intending execution of this Act, or in respect of any alleged neglect, or default in the execution of this Act,—

(a) unless it is commenced within six months after the accrual of the cause of action; and

(b) until the expiration of two months after the notice in writing has been, in the case of the Corporation or its Committee, delivered or left at the Corporation's office and in the case of an Officer or servant of Corporation, delivered to him or left at his office or place of abode; and all such notices shall state with reasonable particulars the cause of action and the name and place of abode of the intending plaintiff and of his advocate, pleader, or agent, if any, for the purpose of the suit.

(2) If the defendant in any such suit is an officer, or servant of the Corporation, payment of any sum or part thereof payable by him in or in consequence of, the suit, may, with the sanction of the Corporation, be made from the Corporation funds.

55. Members, officers and staff of Corporation to be public servants.— All members, officers and servants of the Corporation shall, when acting or purporting to act in pursuance of any of the provisions of this act, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (XLV of 1860).

56. Power to remove doubts and difficulties.— If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make provision or give such direction not inconsistent with the express provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt or difficulty, and the order of the Government, in such cases, shall be final.

57. Act to have overriding effect.— The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the Goa Municipalities Act, 1968 (Act 7 of 1969), the Goa Panchayat Raj Act, 1994 (Act 14 of 1994) and the City of Panaji Corporation Act, 2002 (Act 1 of 2003).

58. Repeal and saving.— (1) The Goa Information Technology Development Ordinance, 2006, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act was in force of the day on which such thing or action was done or taken.

Secretariat,
Porvorim-Goa.
Dated: 6-8-2007.

ANUJA PRABHU DESSAI,
Secretary to the Government of Goa,
Law Department (Legal Affairs).

Department of Information Technology

Notification

1(164)/2009/DOIT/GITDC

In exercise of the powers conferred by sub-sections (1) and (2) of section 51 of the Goa Information Technology Development Act, 2007 (Goa Act 10 of 2007) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:—

CHAPTER I

Preliminary

1. Short title and commencement.— (1) These rules may be called the Goa Information Technology Development Rules, 2011.

(2) They shall come into force at once.

2. Definitions.— In these rules, unless the context otherwise requires,—

(a) “Act” means the Goa Information Technology Development Act, 2007 (Goa Act 10 of 2007);

(b) “Chief Accounts Officer” means the officer appointed by the Government as the Chief Accounts Officer of the Corporation under sub-section (1) of section 12 of the Act;

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

(d) “Managing Director” means the officer appointed by the Government as the Managing Director of the Corporation under sub-section (1) of section 12 of the Act;

(e) “Non-official member” means a member of the Corporation nominated under clause (b) of sub-section (1) of section 4 of the Act;

(f) “regulations” means the regulations made by the Corporation under section 52 of the Act;

(g) “section” means a section of the Act.

Words and expressions used in these rules but not defined shall have the same meaning as assigned to them in the Act.

CHAPTER II

Allowances to members of the Corporation

3. Allowances to members.— (1) A non-official member shall be entitled to an allowance of Rs. 1,100/- for every day on which he attends a meeting of the Corporation or of any of its Committees.

(2) The non-official member shall be entitled to travelling allowance as admissible to Government Officer in Grade I service:

Provided that, the Chairman, and with the permission of the Chairman, a non-official member, may, in the discharge of his duty, travel,—

(i) by the highest class of accommodation available including air-conditioned accommodation, or

(ii) by air.

(3) The official members shall be eligible to draw such travelling and daily allowances as may be admissible to them under the rules governing such members:

Provided that, an official member shall not draw travelling or daily allowance from the Corporation, if for the same journey or for the same halt he has drawn travelling or daily allowance, as the case may be, from Government treasury in another capacity.

(4) A bill for travelling allowance, daily allowance or conveyance allowance, as the case may be, claimed under this rule shall be countersigned, when such allowance is claimed by,—

(a) the Chairman, by the Chairman himself,

(b) the Vice-Chairman or by a non-official member, by the Chairman or the Vice-Chairman, and

(c) an official member, by the official member himself, before such bill is submitted for audit and payment.

CHAPTER III

Conditions of appointment and service and scales of pay of Managing Director and Chief Accounts Officer

4. Pay and allowances.— The Managing Director and the Chief Accounts Officer shall be appointed by the Government on such pay as may be fixed by the Government in the following scales of pay, namely:—

(a) Managing Director - 15,600-39,100+6600/-.

(b) Chief Accounts Officer - 15,600 -39,100 +5400/-.

5. Travelling allowances.— (1) The Managing Director and the Chief Accounts Officer shall be entitled to travelling allowance for the journeys performed in the service of the Corporation, on the scale as provided to Group A Officer in PB-3 Scale.

(2) A bill for travelling allowance, daily allowance or conveyance allowance, as the case may be, claimed under this rule shall be countersigned, when such allowance is claimed by,—

(a) the Managing Director, by the Chairman; and

(b) the Chief Accounts Officer, by the Managing Director.

6. Leave and leave salary.— The Managing Director or the Chief Accounts Officer who,—

(a) is a Government servant deputed to the Corporation shall, so long he remains in Government service, be entitled to leave and leave salary under the rules applicable to him as such Government servant;

(b) is not a Government servant, or being in Government service, has subsequently ceased to be in such service shall be entitled to leave and leave salary which may be admissible to other officers of the Corporation under the Regulations.

7. Provident Fund.— The Managing Director or the Chief Accounts Officer who—

(a) is a Government servant deputed to the Corporation and who has been admitted to the provident fund maintained by Government shall, so long as he is in Government service, be entitled to continue to subscribe to the said fund upon the same terms and conditions, and subject to the same rules, as applicable to Government servant; and

(b) is not a Government servant, or being in Government service, has ceased to be in Government service, shall be entitled to the benefit from the Corporation as per its Regulations.

8. Termination of service.— Except as otherwise expressly provided in the terms of the contract in any individual case, the Government may terminate the services of the Managing Director, or of the Chief Accounts Officer, who is not a Government servant deputed to the Corporation or being a Government servant has ceased to be in Government service, by giving him three month's notice or in lieu of such notice an amount equal to three month's pay.

9. Resignation.— Except as otherwise expressly provided by the terms of a contract in any individual case, the Managing Director or the Chief Accounts Officer, who is not a Government servant deputed to the Corporation or being a Government servant has ceased to be in Government service, may resign his office by giving three month's notice in writing to the Government:

Provided that after the expiry of the aforesaid period of three months, the Managing Director or the Chief Accounts Officer, as the case may be, giving such notice, shall not vacate his office until such time he is not relieved thereof.

10. Disciplinary action.— The Managing Director or the Chief Accounts Officer, who,—

(a) is a Government servant deputed to the Corporation, so long as he is in Government service, on the recommendation of the Corporation, shall be subject to disciplinary action by the Government according to the rules applicable to its officers; and

(b) is not a Government servant or being a Government servant has ceased to be in Government service, shall be subject to disciplinary action by the Corporation, with the approval of Government, according to the Regulations applicable to other officers of the Corporation.

11. Other conditions of service.— All other matters relating to the conditions of service of the Managing Director or the Chief Accounts Officer, who—

(a) is a Government servant deputed to the Corporation shall be regulated in accordance with the provisions of the Central Civil Service Rules as in force in this State; and

(b) is not a Government servant or being a Government servant has ceased to be in Government service, shall be regulated with the approval of Government, in accordance with the provisions of the Regulations applicable to other Officers of the Corporation.

12. Government servants on deputation.— Notwithstanding anything contained in these Rules, the Government may, by rules, prescribe any other conditions of appointment, service or scale of pay for the Managing Director or the Chief Accounts Officer who is a Government servant deputed to the Corporation.

CHAPTER IV

Finance of the Corporation

13. Money to be kept by the Corporation in current or deposit account.— Except as otherwise directed by Government all monies forming part of the fund of the Corporation shall be kept in current or deposit account with the State Bank of India, or in any Nationalized Bank or invested in such securities as may be approved by the Government from time to time:

Provided that the Corporation may keep on hand such sums not exceeding Rs. 25,000/- (Rupees Twenty-five thousand only) as the Corporation may consider necessary.

14. Temporary borrowing by the Corporation.— The Corporation may, for the purpose of meeting any current expenditure properly chargeable to revenue, borrow by way of temporary loan or overdraft from any bank or otherwise, such sums as it may require on such terms and conditions as the Corporation thinks fit and will have to follow instruction issued by Finance Department from time to time. The amount so borrowed together with the interest thereon, shall be repaid from current revenues within a period of twelve months from the date of temporary borrowing.

15. Limit on borrowing without previous consent of the Government.— The Corporation may borrow money and mortgage or charge its undertaking and property (including its revenues) or any part thereof and issue debentures, debenture stock, notes and other securities whether outright or as security for any debt, liability or obligation of the Corporation or of any third party provided that the aggregate amount for the time being remaining undischarged of money borrowed or secured as aforesaid by the Corporation exclusive of the temporary loans as aforesaid, shall not at any time without the previous consent of the Government exceed the sum of Rs. 1.00 crore. Corporation will have to follow instructions issued by the Finance Department from time to time.

16. Manner of issuing securities.— Every bond, obligation, debenture or other securities issued by the Corporation for raising money or for securing money borrowed by or due from the Corporation shall be by a deed under the common seal of the

Corporation and signed autographically by the Managing Director or any other Officer authorized by the Corporation in that behalf.

17. Register of securities to be kept.— A register of bonds, debentures and other securities shall be kept by the Corporation in which shall be entered the number and date of every such bond, debenture or other security and the sum secured thereby and the names of the parties thereto (if any) with their proper addresses and all other necessary particulars thereof.

18. Instructions which may be issued for transfer of securities.— The Corporation may from time to time issue instructions for controlling the transfer of any bond, debenture or other security as it may deem expedient provided that no such instructions shall affect the holder or transferee of any bond, debenture or other securities, unless distinct notice of such instruction shall appear thereon.

19. Assigning or conveying property of Corporation for certain purposes.— The Corporation may for the purpose of securing the payment of any such bonds, debentures or other securities as aforesaid or the payment with interest of any money so borrowed as aforesaid, or payable under any contract or otherwise, make and carry into effect any arrangement which the Corporation may deem expedient by assigning or conveying any property of the Corporation, including its revenues, to trustees.

20. Debentures ordinarily payable to bearer.— Unless otherwise resolved by the Corporation in a general meeting any debentures, which may be issued by the Corporation may be so framed that the principal money and interest thereby secured shall be payable to the bearer and free from any enquiries between the Corporation and the persons to whom the same may be issued.

21. Particulars of borrowing to be furnished.— Where the Corporation proposes to borrow money as provided in section 20 of the Act, the Corporation shall furnish to the Government all such particulars of the amount, purpose, nature and circumstances of the proposed borrowing and the amount of outstanding loans and such other information as the Government may require.

22. Saving for Government.— No security shall be issued or granted as a security in respect of which payment of the principal and interest is guaranteed by the Government until the amount, price, rate of interest, date and method of issue of such security, the arrangements for the application of the proceeds of the issue and for the payment of the proceeds have been previously approved by the Government and no variation of any such arrangements shall be made without the like approval of the Government.

CHAPTER V

Annual financial statement and other statements and reports to be furnished by the Corporation and manner of maintaining accounts

23. Budget and programme of work.— (1) The Corporation shall submit to the Government for approval before the 1st day of October of each year, the annual financial statement and programme of work for the succeeding financial year.

(2) The annual financial statement and the supplementary financial statement, if any, shall be in Form A and the programme of work shall be in Form B hereto.

(3) The Corporation shall also forward to the Government with its programme of work, a note giving history and description of each scheme including *inter alia* the progress made, expenditure incurred and receipt accrued in the previous years in respect of continuing schemes. The note shall in particular, bring out the financial implications of each scheme.

24. Maintaining of accounts.— (1) The accounts of the Corporation shall be prepared, maintained and presented as per the provisions incorporated in GFR 209(xiii) of General Financial Rules and adopt Uniform Format of Accounts for Central Autonomous Bodies as prescribed by the Comptroller & Auditor General of India's Website i.e. www.cag.gov.in under News and Publications–News and Events–Publications–Research Papers–Uniforms Formats of Accounts in the form of Financial Statements as under and also available on Goa Portal www.goa.gov.nic.in of Department of Information Technology, Government of Goa.

- (1) Balance Sheet – Annexure-A.
- (2) Income & Expenditure Account–Annexure-B.
- (3) Schedules–Annexure-C.
- (4) Instructions & Accounting Principles–Annexure-D.
- (5) Notes & Instruction for the schedules–Annexure-E.
- (6) Statement of Receipts & Payment–Annexure-F.

(2) The annual statement of accounts to be submitted to the Government under sub-section (3) of section 25 shall be in Form C hereto.

25. Fees to be charged by the Corporation.— Fees for undertaking any projects may be charged as per the relevant Government rules.

26. Annual report and other returns.— (1) The Corporation shall within three months from the date of closing of each year submit to the Government an annual report.

- (2) The report shall contain *inter alia* particulars regarding,—
- (a) programme of work for the year under report;
 - (b) finance for Corporation;
 - (c) changes if any, in the constitution of the Corporation;
 - (d) establishment under the Corporation and administration of its business;
 - (e) directions given by the Government to the Corporation and their compliance;
 - (f) programme of work for the succeeding year;
 - (g) stock-taking of accounts showing expenditure, revenue liabilities and assets;

(h) manpower recruitment – As per basic requirement (as per Basic Organization Chart) and to follow the norms of Government of Goa;

(i) additional requirement of manpower on contract basis.

(k) infrastructure projects such as IT Parks, for IT activity, IT promotion, etc.;

(l) implementation of Information & Communication Technology (ICT) Project and e-Governance project, including in-house development of e-Government software, networking and maintenance of hardware.

(3) The Corporation shall also submit to the Government by the 1st day of November of each year, a progress report based on its working and accounts of the first six months of the year.

FORM 'A'
[See rule 23 (2)]

Annual Financial Statement

(I) Budget Estimates of the Goa Information Technology Development Corporation for the year _____.

(REVENUE RECEIPTS)

Sub-Head	Actuals for the previous year	Budget estimates for the current year	Revised Estimates for the current year	Budget Estimates for 20 — to 20 —	Remarks (Explanation for increase/ /decrease)
(1)	(2)	(3)	(4)	(5)	(6)
	Rs.	Rs.	Rs.		
(1) Annual rent of land leased					
(2) Annual rent of buildings					
(3) Water supply and electric supply charges					
(4) Hire charges of tools and plants					
(5) Recovery of fine from contractors					
(6) Forfeiture of deposits					
(7) Miscellaneous					
(8) Subventions from the State Government					
(9) Premium on lease of Plots					
(10) Income from ICT Projects					
(11) Bank interest etc.					
(12) Income from other sources					
TOTAL					
DEFICIT					

(II) Budget Estimates of the Goa Information Development Corporation for the year _____.

(REVENUE EXPENDITURE)

Sub-Head	Actuals for the previous year	Budget estimates for the current year	Revised Estimates for the current	Budget Estimates year for 20—20—	Remarks (Explanation for increase/ /decrease)
(1)	(2)	(3)	(4)	(5)	(6)
Rs.	Rs.	Rs.	Rs.	Rs.	

(I) Administrative Expenses

(a) Establishment and other charges

(b) Contingencies

TOTAL (I)

Deduct per cent transferred to development expenditure in capital account
Net

(II) Executive Expenses

(a) Establishment and other charges

(b) Contingencies

TOTAL (II)

Deduct per cent transferred to development expenditure in capital account
Net

(III) Water Supply and Electricity Supply charges

(IV) Maintenance and Repairs

Deduct per cent transferred to development expenditure in capital account

(V) Depreciation

(VI) Expenditure in connection with issue of loans

(VII) Interest on loans

(VIII) Sinking Fund Transfers

(IX) Miscellaneous

Total

Surplus

(III) Budget Estimates of the Goa Information Technology Development Corporation for the year

(CAPITAL RECEIPTS)

Budget-Head	Actuals for the previous year	Budget estimates for the current year	Revised Estimates for the current	Budget Estimates year for 20—20—	Remarks (Explanation for increase/ /decrease)
(1)	(2)	(3)	(4)	(5)	(6)
Rs.	Rs.	Rs.	Rs.	Rs.	
(1) Loan received					
(a) from Government					
(b) other loans (Public or Private)					
(2) Deposits					
(a) for lease of plot and buildings					
(b) other deposits					
(3) Miscellaneous					
(4) Sinking Fund transfers from Revenue Deduct - Investments					
					Total
					Capital deficit

(IV) Budget Estimates of the Goa Information Technology Development Corporation for the year _____.

(CAPITAL EXPENDITURE)

Sub-Head	Actuals for the previous year	Budget estimates for the current year	Revised Estimates for the current	Budget Estimates year for 20—20—	Remarks (Explanation for increase/ /decrease)
(1)	(2)	(3)	(4)	(5)	(6)
Rs.	Rs.	Rs.	Rs.	Rs.	
(I) Fixed assets					
(II) Development of Integrated IT Townships/I.T. Parks and Estates					
(III) Development of other schemes					
(IV) Development of schemes undertaken for and on behalf of Government					
Less – Deposit from Government					
(V) Development of schemes undertake on behalf of bodies other than Government					
Less – Deposit					
(VI) Stock					

(VII) Advances

(VIII) Sundry Creditors (---)

.....
Total
.....

Capital deficit

(V) Budget Estimates of the Goa Information Technology Development Corporation for the
year _____.

(DETAILS OF SCHEMES)

Name of Scheme	Total estimated cost	Expenditur upto 31st March ...	Actuals for previous year	Budget estimates for current year	Revised estimates for the current year	Budget estimates 20—20—	Remarks Budget (for explanation for increase/ /decrease)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
(A) Projects							
(1) Survey and Planning							
(2) Roads							
(3) Water Works, Drainage Works and Electrical Works							
(4) Buildings							
(5) Miscellaneous including Conting- encies Total							
(B) Information & Communication Technology (ICT) Project							
(1) Software							
(2) Hardware							
(3) Network							
(4) Miscellaneous related to IT projects							
Total							

VI Ways and Means

Revenue Surplus:

Revenue Deficit:

Capital Surplus:

Capital Deficit:

Explanatory Note:

FORM 'B'
[See rule 23(2)]**Annual Programme of Work**

Serial No.	Name of the Scheme	Estimated cost	Estimated expenditure in the year for which programme is proposed	Estimated receipts	Salient features amenities and facilities to Industries
1	2	3	4	5	6

FORM 'C'
[See rule 24(2)]**GOA INFORMATION TECHNOLOGY DEVELOPMENT CORPORATION**

(i) Balance Sheet as on 31st March,

LIABILITIES

Rs. Rs. Rs.

- A. Amount repayable to the State Government
- B. Deposits received from Government for schemes undertaken for and/or on behalf of Government
Less – Expenditure
- C. Deposit received from other than Government for other schemes of development
Less – Expenditure
- D. Loan from public
- E. Deposits –
(i) For lease of plots and buildings
(ii) Other Deposits
- F. Sundry Creditors
- G. Net Surplus

ASSETS

Rs. Rs. Rs.

1. Fixed Assets
2. Development of integrated IT Townships/
/I.T. Parks and Estates
3. Development of other schemes
4. Stock in hand
5. Cash ---
(a) Short Term Deposits
(b) Remittances in Transit
(c) Cash in Bank
(d) Cash in hand
6. Amount due from State Government
7. Advances---
(i) Due from State Government
(ii) Miscellaneous advances
(iii) Amounts recoverable
8. Net deficit

(ii) Schedule of Fixed Assets as on 31st March,

(Item 1 – Assets)

Class of Asset	Balance as on 31st March,	Additions during the year	Cost of 31 st March,____	Depreciation	Balance as on 31 st March, ____	Remarks
(1) Tools and Plants						
(2) Miscellaneous						
Total						

(iii) A Statement showing development of Integrated I.T. Townships/I.T. Parks and Estates as on 31st March

(Item 2 – Assets)

Integrated I.T. Townships/ I.T. Parks or Estate	Upto 31st March			Upto 31st March		
	Develop-ment expenditure	Adminis-trative charges	Total expendit-ure	Develop-ment expenditure	Adminis-trative charges	Total expendi-ture	Develop-ment expenditure	Admini-strative charges	Total expen-diture
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
(1)									
(2)									
(3)									
etc.									

(iv) A Statement showing development of other scheme as on 31st March, _____

Name of Scheme	Development expenditure	Administrative charges	Total expenditure	Develop-ment expenditure	Adminis-trative charges	Total expenditure	Develop-ment expenditure	Admini-strative charges	Total expen-diture
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
(1)									
(2)									
(3)									
etc.									

(v) Income and Expenditure Accounts for the year ended 31st March,

	Expenditure			Income		
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
(1) Executive Expenses—				1. Annual rent of land leased		
(i) Establishment						
(ii) Contingencies (including miscellaneous)						
Less 100 per cent transferred development expenditure						
(2) Administrative Expenses—				2. Annual rent of building		
(i) Establishment						
(ii) Contingencies (including miscellaneous)						
Less 25 per cent transferred to development expenditure						

(3) Water Supply and Electricity Charges	3. Water Supply and Electricity Supply Charges
(4) Maintenance and Repairs— Less transferred to development expenditure	4. Hire Charges for tools and plants
(5) Depreciation contractors	5. Recovery of fines from
(6) Expenditure in connection with the issue of loans including guarantee fees, if any	6. Forfeiture of deposits
(7) Interest on loans	7. Interest
(8) Miscellaneous	8. Miscellaneous
(9) Surplus for the year	9. Subventions from State Government
	10. Deficit for the year
Total	Total

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

P. R. Chandekar, ex officio Joint Secretary (IT).

Porvorim, 2nd February, 2011.