

OFFICIAL GAZETTE



GOVERNMENT OF GOA

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Department of Law and Judiciary

Legal Affairs Division

Notification

10/3/2003-LA

The Appropriation (No. 5) Act, 2003 (Central Act No. 55 of 2003), which has been passed by the Parliament and assented to by the President of India on 30-12-2003 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 31-12-2003, is hereby published for general information of the public.

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

Panaji, 18th May, 2004.

THE APPROPRIATION (No. 5) ACT, 2003

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2003-2004.

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

1. *Short title.*— This Act may be called the Appropriation (No. 5) Act, 2003.

2. *Issue of Rs. 7660,21,00,000 out of the Consolidated Fund of India for the year 2003-2004.*— From and out the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of seven thousand six hundred sixty crores and twenty-one lakh rupees towards defraying the several charges which will come in course of payment during the financial year 2003-2004, in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
5	Atomic Energy..... Revenue	44,60,00,000	...	44,60,00,000
	Capital	1,00,000	...	1,00,000
6	Nuclear Power Schemes..... Capital	42,40,00,000	...	42,40,00,000
8	Department of Fertilizers..... Revenue	432,60,00,000	...	432,60,00,000
12	Department of Commerce..... Revenue	2,00,000	...	2,00,000
13	Department of Industrial Policy and Promotion..... Revenue	2,00,000	...	2,00,000
15	Department of Telecommunications..... Revenue	2300,01,00,000	...	2300,01,00,000
16	Department of Information Technology..... Revenue	5,00,00,000	...	5,00,00,000
17	Department of Consumer Affairs..... Capital	4,50,00,000	...	4,50,00,000
29	Ministry of Environment and Forests..... Revenue	30,43,00,000	...	30,43,00,000
	Capital	5,01,00,000	...	5,01,00,000
30	Ministry of External Affairs..... Capital	13,00,00,000	...	13,00,00,000
31	Department of Economic Affairs..... Revenue	288,84,00,000	...	288,84,00,000
33	Payments to Financial Institutions..... Revenue	1,00,000	...	1,00,000
35	Transfers to State and Union Territory Governments..... Revenue	6,00,00,000	...	6,00,00,000
	Capital	...	500,00,00,000	500,00,00,000
39	Pensions..... Revenue	1,00,000	...	1,00,000
41	Department of Revenue..... Capital	43,00,00,000	...	43,00,00,000
45	Ministry of Food Processing Industries..... Revenue	1,00,000	...	1,00,000
46	Department of Health..... Revenue	1,00,000	...	1,00,000
48	Department of Family Welfare..... Revenue	1,00,000	...	1,00,000
49	Department of Heavy Industry..... Capital	1,00,000	...	1,00,000
55	Transfers to Union territory Governments..... Revenue	100,28,00,000	...	100,28,00,000
56	Department of Elementary Education and Literacy..... Revenue	550,00,00,000	...	550,00,00,000
60	Ministry of Labour..... Revenue	1,00,000	...	1,00,000
62	Law and Justice..... Revenue	34,99,00,000	...	34,99,00,000
	Capital	6,47,00,000	...	6,47,00,000
64	Ministry of Non-Conventional Energy Sources..... Revenue	1,00,000	...	1,00,000
65	Department of Ocean Development..... Revenue	1,00,000	...	1,00,000
67	Ministry of Personnel, Public Grievances and Pensions..... Revenue	1,00,000	...	1,00,000
68	Ministry of Petroleum and Natural Gas..... Revenue	348,64,00,000	...	348,64,00,000
72	Lok Sabha..... Revenue	60,00,00,000	...	60,00,00,000
77	Department of Rural Development..... Revenue	1579,75,00,000	...	1579,75,00,000
80	Department of Science and Technology..... Capital	6,21,00,000	...	6,21,00,000
85	Ministry of Social Justice and Empowerment..... Revenue	2,00,000	...	2,00,000
87	Ministry of Statistics and Programme Implementation..... Revenue	1,00,000	...	1,00,000
88	Ministry of Steel..... Revenue	952,10,00,000	...	952,10,00,000
89	Ministry of Textiles..... Revenue	3,00,000	...	3,00,000
90	Department of Culture..... Revenue	1,00,000	...	1,00,000
	Capital	18,10,00,000	...	18,10,00,000
92	Department of Tourism..... Revenue	7,00,00,000	...	7,00,00,000
	Capital	41,70,00,000	...	41,70,00,000
92	Ministry of Tribal Affairs..... Revenue	1,00,000	...	1,00,000
98	Department of Urban Development..... Capital	187,30,00,000	1,50,00,000	188,80,00,000
99	Public Works..... Capital	1,00,000	...	1,00,000
101	Department of Urban Employment and Poverty Alleviation..... Revenue	50,51,00,000	...	50,51,00,000
102	Ministry of Water Resources..... Revenue	1,00,000	...	1,00,000
103	Ministry of Youth Affairs and Sports..... Revenue	2,00,000	...	2,00,000
	Total	7158,71,00,000	501,50,00,000	7660,21,00,000

Notification

10/3/2003-LA (Part)

The Indian Council of World Affairs (Amendment) Act, 2003 (Central Act No. 5 of 2004), which has been passed by the Parliament and assented to by the President of India on 7-1-2004 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 8-1-2004, is hereby published for general information of the public.

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

Panaji, 13th September, 2004.

THE INDIAN COUNCIL OF WORLD AFFAIRS
(AMENDMENT) ACT, 2003

AN

ACT

to amend the Indian Council of World Affairs Act, 2001.

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

1. *Short title.*— This Act may be called the Indian Council of World Affairs (Amendment) Act, 2003.

2. *Amendment of section 7.*— In section 7 of the Indian Council of World Affairs Act, 2001 (hereinafter referred to as the principal Act), in sub-section (2),—

(i) the words and figures “which shall not be later than three months from the date of assent by the President of the Indian Council of World Affairs Bill, 2001” shall be omitted and shall be deemed always to have been omitted;

(ii) in clause (b), for the words “as may be nominated by the Council”, the words, brackets and figure “to be nominated, in the first instance by the Council constituted under sub-section (1) and thereafter by the Council constituted under this sub-section” shall be substituted;

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

“(c) Director-General, *ex officio* Member-Secretary;”;

(iv) in clause (e), for the words “to be nominated by the Council”, the words, brackets and figure “to be nominated, in the first instance by the Council constituted under sub-section (1) and thereafter by the Council constituted under this sub-section” shall be substituted;

(v) in clause (f), for the words “to be nominated by the Council”, the words, brackets and figure “to be nominated, in the first instance by the Council constituted under sub-section (1) and thereafter by the Council constituted under this sub-section” shall be substituted;

(vi) in clause (g),—

(a) for the words “either media personalities or representatives of organisations”, the words “either media personalities or persons from organisations” shall be substituted;

(b) for the word “selected”, the word “nominated” shall be substituted;

(vii) in clause (h), for the words “who are representatives of Business or”, the words “from Business or” shall be substituted;

(viii) in clause (i), the words “, to be nominated by the Chairperson of the Governing Body” shall be omitted.

3. *Amendment of section 15.*— In section 15 of the principal Act, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:—

“(1) There shall be a Director-General of the Council who shall, before a Council is constituted under sub-section (2) of section 7, be appointed by the Council constituted under sub-section (1) of that section and thereafter during the tenure of a Council constituted under sub-section (2) of section 7, by that Council.

(1A) Every appointment of the Director-General under sub-section (1) shall be made from a panel of at least two names recommended by the Government of India in the Ministry of External Affairs.

(1B) The Director-General shall be the chief executive officer of the Council.

(1C) The Director-General shall be at least equivalent to the rank of Additional Secretary to the Government of India and shall have a tenure not exceeding three years.

(2) The Director-General shall act as *ex officio* Member-Secretary to the Council, its Governing Body and other bodies and Committees thereof. ”

4. *Insertion of new section 23A.*— After section 23 of the principal Act, the following section shall be inserted, namely:—

“23A. *Transitory provision.*— For the removal of doubts, it is hereby declared that till the constitution of a Council in terms of sub-section (2) of section 7; the Council referred to in sub-section (1) thereof shall be deemed to have been a Council for the purposes of this Act notwithstanding anything contrary contained in any provision of this Act:

Provided that anything done or any action taken or any proceeding initiated under any provision of this Act or rules or regulations made thereunder shall not be called in question before any court or other authority because of non-existence of a Council in terms of sub-section (2) of section 7.”

5. *Insertion of new section 28A.*— After section 28 of the principal Act, the following section shall be inserted, namely:—

“28A. *Power to remove difficulties.*— (1) If any difficulty arises in giving effect to the provisions of the Indian Council of World Affairs (Amendment) Act, 2003, the Central Government may, by order, do anything not inconsistent with such provisions for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of the Indian Council of World Affairs (Amendment) Act, 2003.

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

Notification

10/4/99-LA (Vol. IV)

The Homoeopathy Central Council (Amendment) Act, 2002 (Central Act No. 51 of 2002), which has been passed by the Parliament and assented to by the President of India on 08-12-2002 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 9-12-2002, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting)

Panaji, 15th April, 2004.

THE HOMOEOPATHY CENTRAL COUNCIL (AMENDMENT) ACT, 2002

AN

ACT

Further to amend the Homoeopathy Central Council Act, 1973.

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

1. *Short title and commencement.*—(1) This Act may be called the Homoeopathy Central Council (Amendment) Act, 2002.

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

2. *Insertion of new Chapter II-A.*— After Chapter II of the Homoeopathy Central Council Act, 1973 (hereinafter 59 of 1973, referred to as the principal Act), the following Chapter shall be inserted, namely:—

CHAPTER II A

12A. *Permission for establishment of new medical institution, new course of study, etc.*— (1) Notwithstanding anything contained in this Act or any other law for the time being in force,—

(a) no person shall establish a Homoeopathic Medical College; or

(b) no Homoeopathic Medical College shall —

(i) open a new or higher course of study or training (including postgraduate course of study or training) which would enable students of each course or training to qualify himself for the award of any recognised medical qualification; or

(ii) increase its admission capacity in any course of study or training (including the post-graduate course of study or training),

except with the previous permission of the Central Government obtained in accordance with the provisions of this section.

Explanation 1.— For the purposes of this section, “person” includes any University or a trust, but does not include the Central Government.

Explanation 2.— For the purposes of this section, “admission capacity”, in relation to any course of

study or training (including post-graduate course of study or training) in a medical institution, means the maximum number of students as may be decided by the Central Council from time to time for being admitted to such course or training.

(2) (a) Every person or medical institution shall, for the purpose of obtaining permission under sub-section (1), submit to the Central Government a scheme in accordance with the provisions of clause (b) and the Central Government shall refer the scheme to the Central Council for its recommendations.

(b) The scheme referred to in clause (a) shall be in such form and contain such particulars and be preferred in such manner and be accompanied with such fee as may be prescribed.

(3) On receipt of a scheme from the Central Government under sub-section (2), the Central Council may obtain such other particulars as may be considered necessary by it from the person or the medical institution concerned, and thereafter, it may,—

(a) if the scheme is defective and does not contain any necessary particulars, give a reasonable opportunity to the person or medical institution concerned for making a written representation and it shall be open to such person or medical institution to rectify the defects, if any, specified by the Central Council;

(b) consider the scheme, having regard to the factors referred to in sub-section (7), and submit it to the Central Government together with its recommendations thereon within a period not exceeding six months from the date of receipt of the reference from the Central Government.

(4) The Central Government may, after considering the scheme and the recommendations of the Central Council under sub-section (3) and after obtaining, where necessary, such other particulars as may be considered necessary by it from the person or medical institution concerned, and having regard to the factors referred to in sub-section (7), either approve (with such conditions, if any, as it may consider necessary) or disapprove the scheme and any such approval shall constitute as a permission under sub-section (1):

Provided that no scheme shall be disapproved by the Central Government except after giving the

person or medical institution concerned a reasonable opportunity of being heard:

Provided further that nothing in this sub-section shall prevent any person or medical institution whose scheme has not been approved by the Central Government to submit a fresh scheme and the provisions of this section shall apply to such scheme, as if such scheme had been submitted for the first time under sub-section (2).

(5) Where, within a period of one year from the date of submission of the scheme to the Central Government under sub-section (2), no order is communicated by the Central Government to the person or medical institution submitting the scheme, such scheme shall be deemed to have been approved by the Central Government in the form in which it was submitted, and, accordingly, the permission of the Central Government required under sub-section (1) shall also be deemed to have been granted.

(6) In computing the time-limit specified in sub-section (5), the time taken by the person or medical institution concerned in submitting the scheme, in furnishing any particulars called for by the Central Council, or by the Central Government, shall be excluded.

(7) The Central Council, while making its recommendations under clause (b) of sub-section (3) and the Central Government, while passing an order, either approving or disapproving the scheme under sub-section (4), shall have due regard to the following factors, namely:—

(a) whether the proposed medical institution or the existing medical institution seeking to open a new or higher course of study or training, would be in a position to offer the minimum standards of medical education as prescribed by the Central Council under section 20;

(b) whether the person seeking to establish a medical institution or the existing medical institution seeking to open a new or higher course of study or training or to increase its admission capacity has adequate financial resources;

(c) whether necessary facilities in respect of staff, equipment, accommodation, training, hospital and other facilities to ensure proper functioning of the medical institution or conducting the new course of study or training or accommodating the increased admission capacity have been provided or would be provided within the time-limit specified in the scheme;

(d) whether adequate hospital facilities, having regard to the number of students likely to attend such medical institution or course of study or training or as a result of the increased admission capacity, have been provided or would be provided within the time-limit specified in the scheme;

(e) whether any arrangement has been made or programme drawn to impart proper training to students likely to attend such medical institution or the course of study or training by the persons having the recognised medical qualifications;

(f) the requirement of manpower in the field of practice of homoeopathic medicine in the medical institution; and

(g) any other factors as may be prescribed.

(8) Where the Central Government passes an order either approving or disapproving a scheme under this section, a copy of the order shall be communicated to the person or medical institution concerned.

12B. *Non-recognition of medical qualifications in certain cases.*— (1) Where any medical institution is established without the previous permission of the Central Government in accordance with the provisions of section 12A, medical qualification granted to any student of such medical institution shall not be deemed to be a recognised medical qualification for the purposes of this Act.

(2) Where any medical institution opens a new or higher course of study or training (including a post-graduate course of study or training) without the previous permission of the Central Government in accordance with the provisions of section 12A, medical qualification granted to any student of such institution on the basis of such study or training shall not be deemed to be recognised medical qualification for the purposes of this Act.

(3) Where any medical institution increases its admission capacity in any course of study or training without the previous permission of the Central Government in accordance with the provisions of section 12A, medical qualification granted to any student of such medical institution on the basis of the increase in its admission capacity shall not be deemed to be recognised medical qualification for the purposes of this Act.

3. *Insertion of new section 25A.*— After section 25 of the principal Act, the following section shall be inserted, namely:—

“25A”. *Provisional registration for practice.*— If the courses of study to be undergone for obtaining a recognised medical qualification in homoeopathy include a period of training after a person has passed the qualifying examination and before such qualification is conferred on him, any such person shall, on application made by him in this behalf, be granted provisional registration in a State Register of Homoeopathy by the Board concerned in order to enable him to practice homoeopathy in an approved institution for the purpose of such training and for no other purpose for the period aforesaid.”.

4. *Amendment of section 33.*— In section 33 of the principal Act, in sub-section (1), after clause (g), the following clauses shall be inserted, namely:—

“(ga) the form of the scheme, the particulars to be given in such scheme, the manner in which the scheme is to be preferred and the fee payable with the scheme under clause (b) of sub-section (2) of section 12A;

“(gb) any other factor under clause (g) of sub-section (7) of section 12A;”.



Department of Panchayati Raj and
Community Development

Directorate of Panchayats

Corrigendum

25/7/8/DEV/VOL/V/2004

For clause 11 of the scheme framed under section 244-A of the Goa Panchayat Raj Act, 1994, the following clause be substituted namely:—

“This Scheme shall apply only to those Panchayats whose annual income is less than Rs. 3.00 lakhs and the sanction of amount under this Scheme shall be at the discretion of the Government amongst such Village Panchayats.”

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

G. G. Kambli, Director of Panchayats & ex officio
Joint Secretary.

Panaji, 4th September, 2004.