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NOTE

There are two Extraordinary issues to the Official Gazette, Series I No. 30 dated 26-10-2017 as follows:-

(1) Extraordinary dated 26-10-2017 from pages 1493 to 1512 from Department of Finance, regarding Amendments of Goa Goods and Services Taxes Act, 2017.

(2) Extraordinary No. 2 dated 30-10-2017 from pages 1513 to 1514 from Department of Law & Judiciary— Not. No. 7/10/2017-LA regarding the Highways (Amendment) Act, 2017, and from Department of Power— Not. No. 120/03/JERC-FPPCA/CEE/Tech regarding the Levy of FPPCA for 1st Quarter of FY 2017-18.

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GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Notification

3/4/STAT/PMFBY/2017-18/D.Aagri

PRADHAN MANTRI FASAL BIMA YOJNA
RABI SEASON 2017

Reference is made to the Government of India, Ministry of Agriculture & Farmers'

Welfare, Department of Agriculture, Co-operation & Farmers' Welfare, Krishi Bhavan, New Delhi letter No. 13015/03/2016-Credit-II, dated 23rd February, 2016, regarding the 'Administrative Approval for implementation of Pradhan Mantri Fasal Bima Yojna (PMFBY).

Pradhan Mantri Fasal Bima Yojna (PMFBY) is being continued in State at the Cluster of Village Panchayats level through the HDFC ERGO GENERAL INSURANCE COMPANY LTD in North Goa District and SBI GENERAL INSURANCE COMPANY LTD. in South Goa District.

The scheme will be continued during Rabi 2017-18 season on the following conditions:—

1. *Implementing Agency.*— The district wise implementing agency is given in Annexure-I.

2. *Risks covered and exclusion.*— Following stages of the crop and risks leading to crop loss are covered under the scheme:—

(a) *Prevented Sowing/Planting Risk:* Insured area is prevented from sowing/ planting due to deficit rainfall or adverse seasonal conditions.

(b) *Standing Crop (Sowing to Harvesting):* Comprehensive risk insurance is provided to cover yield losses due to non-preventable risks, viz. Drought, Dry spells, Flood, Inundation, Pests and Diseases, Landslides, Natural Fire and Lightening, Storm, Hailstorm, Cyclone, Typhoon, Tempest, Hurricane and Tornado etc.

(c) *Post-Harvest Losses:* Coverage is available only up to a maximum period of two weeks from harvesting for those crops which are allowed to dry in cut and spread condition in the field after harvesting against specific perils of cyclone and cyclonic rains and unseasonal rains.

(d) *Localized Calamities:* Loss/damage resulting from occurrence of identified localized risks of hailstorm, landslide and inundation affecting isolated farms in the notified area.

(e) *General Exclusions:* Losses arising out of war and nuclear risks, malicious damage and other preventable risks shall be excluded.

Important Conditions/Clauses applicable for Coverage of Risks.— (1) Insurance companies should have received the premium for coverage either from bank, channel partner, insurance intermediary or directly. Any loss in transit due to negligence by these agencies

or non-remittance of premium by these agencies, the concerned bank/intermediaries shall be liable for payment of claims.

(2) In case of any substantial mis-reporting by nodal bank/branch in case of compulsory farmers coverage, the concerned bank only shall be liable for such mis-reporting.

(3) Mere sanctioning/disbursement of crop loans and submission of proposals/declarations and remittance of premium by farmer/bank, without explicit intent to raise the crop, does not constitute acceptance of risk by insurance company.

(4) *Acreage Discrepancy:* Some areas in the past have reported excess insurance coverage vis-à-vis planted acreage, leading to over-insurance.

For the time-being, it is to be addressed as follows:— (a) Wherever the 'acreage discrepancy' is likely, the acreage insured at IU level shall be compared with average planted acreage of past three years, and the difference is treated as 'excess' insurance coverage after taking into account sown area data of the Revenue authority.

(b) Sum insured is scaled down in the proportionate ratio the average of three years' actual planted acreage bears to the insured acreage for the given crop.

(c) Claims shall be calculated on the scaled down sum insured.

(d) Premium (farmer share and Central and State Government Subsidy) shall be refunded back to Government of India for the portion of sum insured scaled down and the amount may be utilised for improvement of technology/research/impact assessment etc.

Once the individual farms (plots/survey numbers) are digitized and available on a GIS platform, it is quite possible to overlay the crop cover as derived using satellite imagery on the

GIS platform to identify the crop and estimate the cropped area on each farm. This should lead to identifying the acreage discrepancy at individual farm level.

3. *Crops & areas covered.*— The scheme would cover notified crop in the defined areas (Cluster of Village Panchayats) as unit of insurance i.e. each defined area will be considered as one unit for the purpose of Crop Cutting Experiments (CCEs).

The crop wise areas to be covered under the scheme for Rabi 2017-18 season are given in Annexure-II.

4. *Farmers covered.*— (a) All farmers including sharecroppers and tenant farmers growing the notified crops in the notified areas are eligible for coverage. However, farmers should have insurable interest for the notified/insured crops.

(b) *Compulsory Component.*— All farmers having been sanctioned Seasonal Agricultural Operations (SAO) loans from Financial Institutions (i.e. loanee farmers) for the notified crop(s) would be covered compulsorily.

Any loan eligible for compulsory coverage under PMFBY, if not covered will be deemed to be self-insured by the concerned financial institute and claim, in the event of loss shall be borne by the financial institute.

(c) *Voluntary Component.*— The scheme would be optional for the non-loanee farmers.

The non-loanee farmers are required to submit necessary documentary evidence of land records prevailing in the State [Records of Right (RoR), Land Possession Certificate (LPC) etc.] and/or applicable contract/agreement details/other documents notified/permitted by concerned State Government (in case of sharecroppers/tenant farmers].

(d) Special efforts shall be made to ensure maximum coverage of SC/ST/Women farmers under the scheme.

5. *Indemnity level, sum insured limits, premium rates.*— District wise/crop wise Level of Indemnity, Sum Insured Limits and Premium rates are given in Annexure-III.

6. *Subsidy on premium.*— The Actuarial Premium Rate (APR) would be charged under PMFBY by Implementing Agency (IA). However, farmers would be paying maximum of 1.5% (Rabi) for food crops, oilseeds, cereals and millets and 5% for Annual Commercial/Horticultural crops respectively.

The difference between actuarial premium rate and the rate of insurance charges payable by farmers shall be treated as rate of normal premium subsidy, which shall be shared equally by the Centre and State.

7. *Seasonality discipline.*— Loaning and acceptance of proposal by Branches/PACs and receipt of Declarations by AIC as well as settlement of claims will be as per seasonality discipline in Annexure-IV.

8. *Change in crop.*— Farmers covered, on voluntary basis, can buy insurance before actual sowing/planting, based on advance crop planning. However, for any reason if a farmer changes the crop planned earlier, he should intimate the change to insurance company, at least 30 days before cut-off-date for buying insurance or sowing, through financial institution/channel partner/insurance intermediary/directly; as the case may be, along with difference in premium payable, if any, accompanied by sowing certificate issued by concerned village/sub-district level official of the State. In case the premium paid was higher, insurance company will refund the excess premium.

Similarly, loanee farmers can also change the name of insured crop from the original crops submitted in the loan application but such changes should be submitted in writing to the concerned bank branch well in advance so that their proposed crops should be insured. However changes of non-notified crops to notified crops without submitting the sowing certificate is not permissible.

Cut-off date for submission of yield data by the State Government.— Cut-off date for submission of yield data based on minimum crop cutting experiments for Crop for Rabi 2017-18 season, from the Directorate of Agriculture, Government of Goa to Implementing Agency (AIC) is as mentioned in Annexure-IV.

9. *Loss assessment, claim settlement and claim sharing.*— Wide Spread Calamities (based on season-end yield):—

Government Department overseeing conduct of CCEs, under GCES i.e. Single Series will submit crop wise/notified area wise yield data to the respective insurance company within the prescribed cut-off date alongwith results of individual CCEs. The certificate that CCEs data is being submitted based on single series would be furnished alongwith yield data every season.

In order to maintain the sanctity and credibility of CCEs as an objective method of yield estimation, the modalities mentioned below will be followed:

(a) Digitizing the CCE process including geo-coding (providing the latitude and longitude of the CCE location), date/time stamping and with photographs (of the CCE plot and CCE activity), is a must for all CCEs.

(b) Insurance company would have complete access to co-witness the CCEs, as also the digital images of the CCEs and relevant data in the requisite form by the State Government. (As outlined in para XXIV.2.m) A formal letter with the schedule of CCEs would be given to the respective insurance company sufficiently in advance without fail to help them mobilize the manpower if they so desire.

(c) Wherever the yield estimates reported at IU level are abnormally low or high vis-à-vis the general crop condition, the insurance company in consultation with State Government can make use of various products (e.g. Normalized Difference

Vegetation Index, etc.), derived from satellite image data or other technologies to confirm the yield estimates. In case of significant differences between these two yield estimates, the matter should be referred to Technical Advisory Committee (TAG) at Centre and its decision shall be final.

(d) Use of Mobile Phone Technology to improve Yield-data Quality and Timeliness to increase the reliability, accuracy and speed of CCE data, it is mandatory to use smart phones/hand held devices for capturing images, location of the CCE and for online transmission of data on centralized server (e.g. Bhuvan server) would be done for faster compilation of data and quick claim settlement. RST and Drones etc., may also be used for the purpose of increasing accuracy and speed of yield estimation through CCEs.

Assessment of Claims (Wide Spread Calamities).— If 'Actual Yield' (AY) per hectare of insured crop for the insurance unit (calculated on basis of requisite number of CCEs) in insured season, falls short of specified 'Threshold Yield' (TY), all insured farmers growing that crop in the defined area are deemed to have suffered shortfall in yield of similar magnitude. PMFBY seeks to provide coverage against such contingency.

'Claim' shall be calculated as per the following formula:—

$$\frac{(\text{Threshold Yield} - \text{Actual Yield})}{\text{Threshold Yield}} \times \text{Sum Insured}$$

Where,

Threshold yield for a crop in a notified insurance unit is the moving average yield of past seven years (excluding a maximum of two calamity year(s) as notified by State Government/UT) multiplied by applicable indemnity level for that crop.

On Account Payment of Claims due to Mid-Season Adversity.— (1) It is proposed to provide immediate relief to insured farmers in

case of adverse seasonal conditions during the crop season viz. floods, prolonged dry spells, severe drought etc., wherein expected yield during the season is likely to be less than 50% of threshold yield.

(a) *Eligibility Criteria.*— (i) All notified Insurance Units would be eligible for “ON ACCOUNT” payment only if the expected yield of the affected crop during the season is less than 50% of threshold yield.

(ii) The provision would be invoked for a specific crop or group of crops by the State Government through damage notification based on the proxy indicators.

(iii) Insurance company may decide the quantum of likely losses and the amount of ‘on-account’ payment based on the joint survey of Insurance Company and State Government Officials.

(iv) Only those farmers would be eligible for financial support under this cover who has paid the premium/the premium has been debited from their account before the date of issuance of damage notification by the State Government.

(v) Maximum amount payable would be 25% of the likely claims, subject to adjustment against final claims.

(vi) If adversity occurs within 15 days before the normal harvest time, this provision will not be invoked.

(b) *Proxy-Indicators.*— Indicators to be used for loss intimation would be rainfall data, temperature and relative humidity data, satellite imagery and crop condition reports by District Level State Government Officials, supported by media reports.

(c) *Loss assessment procedure.*— (i) Joint Committee of State Government and the insurance company, for assessment of crop damage, would be formed and notified before start of the crop season for each district.

(ii) This Joint Committee shall decide the eligibility for on-account payment based on the weather data (available AWS notified by the Government)/long term average rainfall data/ /satellite imagery supported by estimated yield losses at notified Insurance unit level and the extent of loss.

(iii) Information/Services of Mahalanobis National Crop Forecast Centre (MNCFC) may also be utilized for determination of extent of loss for on-account payout.

(iv) If the expected loss of the affected crop is more than 50% of the threshold yield for the Notified Insurance Unit, on-account payment would be payable.

(v) On-account payment would be calculated as per following formula:

$$\frac{(\text{Threshold Yield} - \text{Estimated Yield})}{\text{Threshold Yield}} \times \text{Sum Insured} \times 25\%$$

(d) *Time frame for loss assessment and submission of report.*— (i) An order will be issued by State Government defining eligibility of on-account payment with details of damaged Insurance Units within 7 days from the occurrence of adverse seasonal event.

(ii) Loss assessment report at the affected insurance unit level has to be completed by the joint committee within 15 days from occurrence of the adverse seasonal event.

(e) *Conditions:* (i) Mere disbursement/ /sanction of loan without receipt/debit of premium before the notification of calamity would not make a farmer eligible for the claim.

(ii) These claims would be adjusted from the end season area approach yield based claims.

Prevented/Failed Sowing and Prevented Planting/Germination Claims.— (1) It is proposed to provide insurance cover to farmers in case of widespread incidence of eligible risks affecting crops in more than 75%

of area sown in a notified unit at early stage leading to total loss of crop or if the farmers are not in a position to either sow or transplant the crop. The district wise/crop wise cut off dates for invoking this provision are given in Annexure-IV.

(i) The Notified Insurance Unit and crop wise normal area sown would be provided to the insurance companies by Directorate of Agriculture, Government of Goa.

(a) *Eligibility Criteria.*— (i) Notified Insurance Units will be eligible for “Prevented Sowing/Planting” pay-out only if more than 75% of Crop Sown Area for notified crop remained unsown due to occurrence of any of the above perils.

(ii) Only those farmers would be eligible for financial support under this cover who have paid the premium/the premium has been debited from their account by the date of notification to this effect.

(b) *Proxy-Indicators:* Indicators like rainfall data, other weather data, satellite imagery and crop condition reports by district level agricultural officer, media reports and area sown data released by district level agricultural officer State Government.

(c) *Loss assessment procedure:* (i) State Government would declare a Notified Insurance Unit as having suffered Prevented or Failed Sowing/Planting conditions with approximate areas in percentage of the unit.

(ii) The Lump sum payout under this cover would be limited to 25% of the sum insured and the insurance cover will be terminated.

(d) *Conditions:* (i) The cover will be available for NAMED crops only.

(ii) Mere disbursement/sanction of loan without receipt/debit of premium before the notification of calamity won't make a farmer eligible for claim.

(iii) The insurance company would disburse the claim within 30 days of the State's order/notification invoking the event of the insured risk provided the data on estimated area sown have been received from State Government.

(iv) The pay-out under the cover would be disbursed by the insurance company only after the receipt of Government share of premium subsidy.

(v) Insurance Cover would terminate for the affected crop in a Notified Insurance Unit once a claim under this section is invoked and the Affected Insurance Unit/Crop would not be eligible for area yield based claim calculated at the end of the season.

(vi) Once this provision is invoked, no fresh enrolment of farmers, for the affected notified crops and areas would be done.

(vii) Once exigency is invoked it applies to all the insured farmers in the Notified Insurance Unit for a given crop, including for those whose crop survived.

The State Government would continue to provide area sown and yield data based on CCEs conducted in the such areas within the cut-off date.

Post-Harvest Losses.— (1) It is proposed to provide for assessment of yield loss on individual plot basis in case of occurrence of cyclone, cyclonic rains and unseasonal rains resulting in damage to harvested crop lying in the field in ‘cut and spread’ condition up to maximum period of two weeks (14 days) from harvesting for sole purpose of drying are Paddy, Pulses and Groundnut.

(a) *Eligibility criteria:* (i) Available to all insured farmers, at farm unit level, affected by above mentioned perils in a Notified Insurance Unit growing notified crops for which insurance have been availed.

(b) *Proxy-Indicators:* Report in the local media or reports of the agriculture/revenue

department supported by media reports and other evidences.

(c) *Loss assessment procedure.*— Time and method of reporting the loss/claims.

(i) Immediate intimation (within 48 hours) by the insured farmer to bank/insurance company/Agriculture Department officials through phone/FAX.

(ii) Intimation must contain details of survey number-wise insured crop and acreage affected.

Localized Risks.— (1) It is intended to provide insurance cover at individual farm level to crop losses due to occurrence of localized perils/calamities viz. Landslide, Hailstorm and inundation affecting part of a notified area or a plot.

(a) *Eligibility Criteria.*— (i) Available to all insured farmers, at farm unit level, affected by above mentioned perils in a Notified Insurance Unit growing notified crops for which insurance has been availed.

(ii) Maximum liability is limited to proportionate Sum Insured of damaged crop's area. This would be based on the proportion of cost of inputs incurred during sowing period to the sum insured.

(iii) Only those farmers would be eligible for financial support under this cover who have paid the premium/the premium has been debited from their account before occurrence of the insured peril.

(iv) Maximum pay-out under this provision would be in proportion to cost of inputs, incurred up to the occurrence of insured peril, subject to the sum insured. If the pay-out under area approach (based on CCEs data) is more than localized losses, the higher claims of two will be payable to insured farmers.

(v) If the affected area under a notified crop is more than 25% of the total insured area in a

notified insurance unit, all the eligible farmers (who has taken insurance for the notified crop, which has been damaged, and informed about occurrence of calamity in the farm within the stipulated time) in the notified insurance unit would be deemed to have suffered localised loss and would be eligible for financial support. Percentage of loss would be arrived at by requisite percentage of sample survey (as decided by the Joint Committee) of affected area by the insurance company.

Time and method of reporting the loss/claims.— (i) Immediate intimation (within 48 hours) by the insured farmer to bank/insurance company/Agriculture Department officials toll free number through phone/FAX.

(ii) Intimation must contain details of survey number-wise insured crop and acreage affected.

(iii) Mobile application may be used for reporting incidents of localized risks for intimation of events including longitude/latitude details and pictures using NRSC Mobile App.

Who to be reported i.e. Channel of reporting.— The banks would verify the insured details like crop insured, sum insured, premium debited and date of debit before sending the same to insurance company.

Documentary evidence required for claim assessment.—

* Duly filled Claim form along with all relevant documents is requisite for payment of claims. However, if information on all the columns is not readily available, semi-filled form may be sent to the insurance company and later within 7 days of the loss, filled form may be submitted.

* Evidence of crop loss through capturing pictures using mobile application, if any.

* Local Newspaper cutting to substantiate occurrence of loss event and severity of the loss, if any.

Appointment of Loss Assessors by the Insurance Company.— The loss assessors would be appointed by the insurance company for assessment of losses due to the operations of Localized Risks (Yield Insurance).

The loss would be jointly assessed by a team comprising of loss assessor appointed by the insurer, block level agriculture officer and the concerned farmer.

* Maximum liability would be limited to proportionate Sum Insured of damaged cropped area.

Important conditions.— (i) Mere disbursement/sanction of loan without receipt/debit of premium before the occurrence of insured peril would not make a farmer eligible for claim.

(ii) When affected area is limited upto 25% of total insured area in the notified insurance unit, the losses of eligible farmers would be assessed individually provided they have paid premium prior to occurrence of insurance peril.

(iii) The pay-out under the cover would be disbursed by the insurance company only after the receipt of Government share of premium subsidy.

(iv) The insurance company would disburse the claim, if payable within 30 days of survey of loss.

(v) If, at the end of season, based on the yield data, claim is more than the claim under this cover, the balance would be paid at the end of the season under widespread claims.

(vi) Farmers getting enrolled or whose premium is debited after occurrence of insurance peril would not be eligible for financial support under this cover.

Procedure for Settlement of Claims to the farmers.— (1) The insurance company would disburse the claim only after receipt of Government share in premium subsidy.

(2) In case of farmers covered through Financial Institution, claims shall be released only through electronic transfer, followed by hard copy containing claim particulars, to individual bank branches/nodal banks/PACs which will credit into accounts of individual farmers within a week of receipt of funds from the Insurance companies and shall provide a certificate to the insurance companies alongwith list of farmers benefited. Bank Branch should also display particulars of beneficiaries on notice board and also upload the same on crop insurance portal.

(3) In case of farmers covered on voluntary basis through intermediaries/directly, payable claims will be directly credited to the concerned bank accounts of insured farmers and details of the claims may also intimated to them. The list of beneficiaries may also be uploaded on the crop insurance portal immediately.

(4) In case of claims under prevented/failed sowing, localized calamities, postharvest losses; insurance company will process the claims after assessment and shall release the claims as per the procedure.

(5) Insurance companies shall resolve all the grievances of the insured farmers and other stakeholders in the shortest possible time.

10. *Commission and Bank Charges.*— Bank and other financial institutions etc., shall be paid service charges @ 4% of the premium collected from farmers. Rural agents engaged in providing insurance related services to farmers would be paid appropriate commission as decided by the insurance company, subject to cap prescribed under IRDA regulations.

11. *Service Tax.*— PMFBY is a replacement scheme of NAIS/MNAIS, and hence exempted from Service Tax.

12. *Role and Responsibilities of Various Agencies.*— For successful implementation and administration of Scheme, roles of various

Agencies/Institutions/Government Departments/Committees are spelt out herein.

State/UT Governments.— (a) District Level Monitoring Committee (DLMC) would provide fortnightly crop condition reports and periodical reports on seasonal weather conditions, loans disbursed extent of area cultivated, etc., to concerned insurance company. DLMC shall also monitor conduct of CCEs in districts.

(b) Uploading of requisite information of notification on the crop insurance portal in Co-ordination with the selected Implementing Insurance Companies within one week from the date of notification.

(c) Issuance of necessary instructions to Regional Meteorological Centres of IMD and other Government/quasi Government agencies for supplying weather data on real-time basis to insurance company.

(d) To undertake extensive awareness and publicity campaigns of Scheme amongst farming community through agriculture and extension Departments to maximize coverage of the farmers specially non-loanee farmers.

(e) To furnish to the insurance companies the insurance unit-wise area sown of insured crops within two months from the sowing period.

(f) Assist insurance companies for assessment of crop loss of individual insured farmers caused by localized perils and also assist in post-harvest losses.

(g) Will allow insurance companies to co-observe and witness CCEs, and permit them to access various records including Form-2/ /Table-B at grass root/district/state level used for recording data of CCEs by States. Audio Video recording of CCEs shall be implemented besides other process to ensure accuracy of CCE.

Insurance Companies (IA).— (a) Insurance companies to liaise with State Governments

and agencies/institutions/committees involved in implementation of PMFBY.

(b) Furnish the necessary data/information to SLCCCI as may be required as per the notification.

(c) Underwriting — responsibilities of processing and acceptance of risk.

(d) Claim processing/finalization on receipt of yield data from States/UTs and payment within the prescribed timelines.

(e) Redressal of all Public Grievances within the time fixed by IRDA.

Financial Institutions/Banks.— (a) To Communicate Notification, as well as other directives, guidelines, etc., to all agencies within their jurisdictional area.

(b) Ensure that all agencies within their jurisdictional area sanction additional loan component to loanee farmers towards premium payable by them.

(c) Ensure that all service (subordinate) bank branches within their jurisdictional area serve all non-loanee farmers desiring and eligible to take insurance cover under PMFBY. Such service will include opening bank account of non-loanee farmers, guiding them to fill up proposal forms, accepting premium from them and maintaining records, etc.

(d) Ensure that, for both loanee and non-loanee farmers separately, premium and related data is remitted to nodal bank, wherever applicable, within the prescribed time.

(e) Lead bank/Nodal Banks should ensure that all the eligible crop loans/seasonal operational loans taken for notified crop(s) are fully insured and the conditions stated in the declarations submitted have been complied with. No farmer should be deprived from insurance cover. Nodal banks therefore, should make all out efforts and pursue their

branches for enrolling all eligible loanee farmers and interested non-loanee farmers under crop insurance.

In case, claims have arisen during crop season then respective bank and its branches would be responsible to make payment of the admissible claims to loanee farmers who were deprived from insurance cover to their crops.

(f) Concerned Bank and its branches should ensure submission to insurance companies within stipulated time the notified crop-wise, insurance unit-wise Declarations in prescribed format, along with consolidated premium payable separately for both loanee farmers and non-loanee farmers. If concerned Bank and its branches keep the amount of premium collected beyond the defined timelines then they will be liable to pay interest (at prevailing rate of interest for saving account) for the delay period to the insurance company.

(g) Nodal bank/Branches will also arrange for onward transmission to service (subordinate) bank branches/PACS, compensation amounts as received from insurance companies with all details, to be credited to beneficiary accounts.

(h) The Nodal Banks/Administrative offices would also collect the list of individual insured farmers with requisite details like name, fathers' name, Bank Account number, village, categories — Small and Marginal/SC/ST/Women, insured acreage, insured crop(s), sum insured, premium collected, Government subsidy etc., from concerned PACS/Bank Branch in soft copy for further reconciliation and send the same to the concerned insurance company within 15 days after final cut-off date for submission of proposal to insurance company.

(i) The insurance company shall acknowledge all the declarations submitted by the banks mentioning the details of crop, area, sum insured etc. The banks should cross check with their records and aberrations, if

any, should be brought to the notice of the insurance company immediately. If no response is received from banks within 15 days, the details given in the acknowledgement shall be considered final and no changes would be accepted later on.

(j) To credit the claim proceeds of PMFBY received from insurance company to respective beneficiary bank account within seven days. If Bank Branches/Nodal banks keep the claims amount beyond the defined timelines then they will be liable to pay interest (at prevailing rate of interest for saving account) for the delay period to the eligible farmers. The list of beneficiary cultivators with claim amount shall be displayed by the Branch/Primary Agricultural Co-operative Society (PACS) and a copy shall also be provided to the Chairman/Sarpanch/Pradhan of the Village Panchayat. The Banks shall issue a certificate to the insurer that entire money received for settlement of claims has already been credited into the account of beneficiaries.

(k) Soft copy of the beneficiary' farmers would also be uploaded directly on Crop Insurance portal by bank branch/PACS through Nodal Bank to concerned Insurance companies for uploading the same in their web-site.

(l) To permit insurance company with access to all relevant records/ledgers at the Nodal Bank/Branch/PACS at all times for the purpose of implementation of the scheme.

(m) Banks should ensure that cultivator may not be deprived of any benefit under the Scheme due to errors/omissions/commissions of the concerned branch/PACS, and in case of such errors, the concerned institutions shall only make good all such losses.

Lending Banks/RFIs.— (a) To educate the cultivators on the Scheme features.

(b) To maintain the records of proposal forms, the other relevant documents and statements for the purpose of scrutiny/

/verification by insurance company or its authorized representatives and DLMC.

(c) Allow insurance company access to all relevant records and registers at offices of Nodal Bank and service (subordinate) bank branches within their jurisdictional area.

(d) To capture all relevant data including land and crop details of all loanee farmers covered compulsorily as well as non-loanee farmers availing crop insurance through them. Under administrative mechanism, banks are designated as terminal service points for farmers. Hence, it is their duty to ensure compulsory coverage of all eligible loanee farmers and all interested non-loanee farmers. In case of any misreporting by Nodal Bank/branch/PACS in case of farmers coverage, concerned bank only will be liable for such misreporting and its consequences.

Designated insurance agents.— (a) To educate the cultivators on the Scheme features.

(b) To guide the cultivators for filing up the insurance proposal in the prescribed forms and collecting the required documents from Non-Loanee cultivators.

(c) Underwrite and collect the premium on behalf of Insurance Company, strictly as per the provisions of the scheme.

(d) To prepare the consolidated statements of Non-Loanee cultivators and forwarding the same to the insurance company along with the premium amount well within the stipulated time.

(e) The designated insurance agents shall also prepare the list of individual insured farmers with requisite details like name, father's name, Bank Account number, village, categories — Small and Marginal/SC/ST/Women, insured acreage, insured crop(s), sum insured, premium collected, Government subsidy etc., in soft copy and send the same to the concerned insurance company within five days after final cut-off date.

(f) The designated insurance agents should ensure that insured farmers may not be deprived of any benefit under the Scheme due to errors/omissions/commissions of them, and if any, the concerned agents/insurance company shall only make good all such losses. Necessary administrative and legal action may also be taken for lapses in service/malpractices, if any, reported.

Loanee farmers.— (a) As the Scheme is compulsory for all loanee cultivators availing SAO loans for notified crops, it is mandatory for all loanee cultivators to insist on insurance coverage as per provisions of the Scheme.

(b) Any change in crop plan should be brought to the notice of the bank within one week of sowing.

(c) Insurance proposals are accepted only upto a stipulated cut-off date, which will be decided by the SLCCCI.

(d) Give information of any loss due to localized risk or post harvest loss due to specified perils of cyclone, cyclonic rains and unseasonal rains resulting in damage to harvested crop lying in field in "cut and spread" condition to concerned bank branch/financial institution/channel partner/insurer within 48 hours.

Non-Loanee cultivators.— (a) Non-Loanee cultivators desirous of availing insurance under PMFBY for any notified crop in any notified insurance unit may approach nearest bank branch/PACS/authorized channel partner/insurance intermediary of insurance company within cut-off date, fill-up proposal form completely in prescribed format, submit form and deposit requisite premium to bank branch/Insurance Intermediary along with necessary documentary evidence regarding his insurable interest in cultivating land/crop (e.g. ownership/tenancy/cultivation rights) proposed for insurance.

(b) The farmer desiring for coverage should open/operate an account in the branch of the

designated bank, and the details should be provided in the proposal form.

(c) The farmers should mention their land identification number in the proposal.

(d) The farmer must provide documentary evidence with regard to possession of cultivable land.

(e) The cultivator must furnish area sown confirmation certificate.

(f) The farmer should ensure that he gets insurance coverage for a notified crop(s) cultivated/proposed to be cultivated, in a piece of land from a single source. In other word, double insurance is not allowed. The insurance company shall reserve the right to repudiate all such claims and not refund the premium as well in such cases.

Company may also take legal action against such farmers.

(g) Give information of any loss due to localized risk or post-harvest loss due to specified perils of cyclone, cyclonic rains and unseasonal rains resulting in damage to harvested crop lying in field in “cut and spread” condition to concerned bank branch/financial institution/channel partner/insurer within 48 hours.

The implementation of the scheme will be governed by operational guidelines on PMFBY and administrative approval issued by DACFW, GOI in the event of any conflict in provisions in this notification and operational guidelines for PMFBY issued by DACFW, GOI, latter will prevail.

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

Nelson Figueiredo, Director & ex officio Joint Secretary (Agriculture).

Tonca Caranzalem, 31st October, 2017.

ANNEXURE-I

PRADHAN MANTRI FASAL BIMA YOJANA (PMFBY) GOA RABI SEASON 2017-18

DETAILS OF IMPLEMENTING AGENCY

Name of the Insurance	Head Office	Contact person details	Local Office
District: North Goa			
HDFC ERGO GENERAL INSURANCE COMPANY LTD.	1st floor, HDFC HOUSE, H.T. Parekh Marg, 165-166, Backbay Reclamation, Churchgate, Mumbai, Maharashtra-400020	Shri Hemant Raul, Assistant Manager, Rural & Agri Business Group No. 7506651076 e-mail: Hemant.Raul@hdfcergo.com	1st floor, Magnum Center, M.G. Road, Panjim-Goa-403 001.
District: South Goa			
SBI GENERAL INSURANCE COMPANY LTD.	101-201-301-Natraj Building, Junction of Western Express Highway & Andheri-Kurla Road, Mumbai-400069, Maharashtra	Shri Shashikant Bhosure, Relationships Manager, SBI, General Insurance Company Ltd., New Delhi. Mobile: 9773344739 e-mail: Shashikant.bhosure@sbigeneral.in	2nd floor, Myles High Corporate Hub, Patto, Panaji-Goa, 403001.

ANNEXURE - II

PRADHAN MANTRI FASAL BIMA YOJANA (PMFBY) GOA

RABI SEASON 2017-18

District: North Goa (Cluster 1 to 10)

Sr. No.	Crop	Normal area sown (ha)	Expected area insured (ha)	Sum insured (per ha)
1.	Paddy	4400	400	62500
2.	Pulses	5500	100	37500
3.	Groundnut	1500	50	47500

District: South Goa (Cluster 11 to 19)

Sr. No.	Crop	Normal area sown (ha)	Expected area insured (ha)	Sum insured (per ha)
1.	Paddy	9000	300	62500
2.	Pulses	1200	25	37500
3.	Groundnut	—	—	47500

ANNEXURE-III

PRADHAN MANTRI FASAL BIMA YOJANA (PMFBY) GOA

RABI SEASON 2017-18

INDEMNITY LEVEL, SUM INSURED LIMITS, PREMIUM RATES

LOANEE/NON LOANEE FARMERS

Notified Crops	Indemnity Level	District	Premium Rate		Sum Insured
			Actuarial (%)	To be paid by farmers (%)	
Paddy	80%	North Goa	2.39	1.50	62500
Pulses	80%		4.91	1.50	37500
Groundnut	80%		4.23	1.50	47500

LOANEE/NON LOANEE FARMERS

Notified Crops	Indemnity Level	District	Premium Rate		Sum Insured
			Actuarial (%)	To be paid by farmers (%)	
Paddy	80%	South Goa	3.00	1.50	62500
Pulses	80%		3.00	1.50	37500
Groundnut	80%		7.00	1.50	47500

ANNEXURE - IV

Loaning and acceptance of proposal by Branches/PACs and receipt of Declarations by AIC will be as per the following

Sr. No.	Activity	Timeline
1.	Loan sanctioning/renewing for coverage under PMFBY on compulsory basis	1st October, 2017 to 31st December, 2017
2.	Cut-off date for debit of premium from farmer account (Loanee farmers)	31st December, 2017
3.	Cut-off date for receipt of proposals from farmer (Non-Loanee farmers)	31st December, 2017
4.	Cut-off date for receipt of consolidated declarations/proposal of loanee farmers covered on compulsory basis from Banks/ /DCCBs/PACS	15th January, 2017
5.	Cut-off date for receipt of consolidate declarations/proposal of non loanee farmers covered on voluntary basis from Banks/ /DCCBs/PACS	07th January, 2017
6.	Cut-off date for receipt of consolidated declarations/proposal on non loanee farmers covered on voluntary basis from insurance Agents/Intermediaries	Within 7 days of receipt of premium
7.	Intimation of change in crop/area	30th November, 2017
8.	Uploading of soft copies of details of farmers by Banks/DCCBs/ PACS/Intermediaries	15th January, 2017
9.	Cut-off date for prevented sowing	15th January, 2017
10.	Cut-off date for post-harvest losses	31st March, 2017
11.	Cut-off date for receipt of yield data	Within a month from final harvest
12.	Processing, approval and payment of final claims based on yield	Within three weeks from receipt of yield data (Subject to release of Premium Subsidy)

ANNEXURE V

List of Village Panchayats/Clusters for Crop Cutting Experiments under Pradhan Mantri Fasal Bima Yojana (PMFBY)

Sr. No.	Name of the Taluka	Sr. No.	Name of the Cluster	Name of the Village Panchayat
1	2	3	4	5

NORTH GOA DISTRICT

I	Pernem	1	Pernem Cluster 1	1. Agarwada - Chopdem 2. Allorna 3. Arambol 4. Casarvane 5. Casne-Amere-Poroscodem 6. Chandel - Hassapur
---	--------	---	------------------	---

1	2	3	4	5
				7. Corgao 8. Dhargalim 9. Ibrampur 10. Mandrem
		2	Pernem Cluster 2	1. Morjim 2. Ozorim 3. Paliem 4. Parcem 5. Querim - Terekhol 6. Tamboxem - Mopa - Uguem 7. Torxem 8. Tuem 9. Varcond - Nagzor 10. Virnoda
II	Bardez	3	Bardez Cluster 1	1. Aldona 2. Anjuna - Caisua 3. Arpora - Nagoa 4. Assagao 5. Assonora 6. Bastora 7. Calangute 8. Camurlim 9. Candolim 10. Colvale 11. Guirim
		4	Bardez Cluster 2	1. Moira 2. Nachinola 3. Nadora 4. Nerul 5. Oxel 6. Parra 7. Penha-de France 8. Pilerne-Marra 9. Pirna 10. Pomburpa - Olaulim 11. Reis - Magos
		5	Bardez Cluster 3	1. Revora 2. Saligao 3. Salvador-do-Mundo 4. Sangolda 5. Siolim - Marna 6. Siolim - Sodiem 7. Sirsaim 8. Socorro 9. Tivim 10. Ucassaim - Paliem - Punola 11. Verla Canca
III	Tiswadi	6	Tiswadi Cluster 1	1. Azossim - Mandur 2. Batim 3. Carambolim

1	2	3	4	5
				4. Chimbel 5. Chodan - Madel 6. Corlim 7. Cumbharjua 8. Curca - Bambolim - Talaulim 9. Golti - Naveli 10. Mercedes
		7	Tiswadi Cluster 2	1. Neura 2. St. Cruz 3. Siridao - Pale 4. St. Andre (Goa Velha) 5. St. Estevam 6. St. Lawrence (Agassaim) 7. Sao Matias 8. Se Old Goa 9. Taleigao
IV	Bicholim	8	Bicholim Cluster 1	1. Advalpale 2. Amona 3. Cudnem 4. Carapur - Sarvan 5. Latambarcem 6. Mayem - Vaiguinim 7. Mencurem - Dhumacem 8. Mulgao 9. Naroa
		9	Bicholim Cluster 2	1. Navelim 2. Ona - Maulingem - Curchirem 3. Pale - Cothombi 4. Piligao 5. Salem 6. Sirigao 7. Surla 8. Velguem 9. Harvalem
V	Satari	10	Satari Cluster	1. Bhirondem 2. Cotorem 3. Dongurli - Thane 4. Guleli 5. Honda 6. Mauxi 7. Morlem 8. Nagargao 9. Pissurlem 10. Poriem 11. Querim 12. Sanvordem
SOUTH GOA DISTRICT				
VI	Ponda	11	Ponda Cluster 1	1. Bandora 2. Betora Nirankal - Conxem- -Codar

1	2	3	4	5
				3. Betki-Khandola 4. Bhoma - Adcolna 5. Borim 6. Cundaim 7. Curti Khandepar 8. Durbhat 9. Marcaim 10. Panchawadi
		12	Ponda Cluster 2	1. Queula 2. Querim 3. Shiroda 4. Tivre - Orgao 5. Usgao - Ganjem 6. Veling - Priol - Cuncolem 7. Verem - Vaghurme 8. Volvoi 9. Wadi - Telaulim
VII	Salcete	13	Salcete Cluster 1	1. Ambelim 2. Aquem - Baixo 3. Assolna 4. Betalbatim 5. Camurlim 6. Cana-Benaulim 7. Carmona 8. Cavelossim 9. Chandor - Cavorim 10. Chinchinim - Deusua 11. Colva 12. Curtorim 13. Davorlim - Dicarpale 14. Dramapur - Sirlim 15. Guirdolim
		14	Salcete Cluster 2	1. Loutolim 2. Macazana 3. Navelim 4. Nuvem 5. Orlim 6. Paroda 7. Raia 8. Rachol 9. Rumdamol - Davorlim 10. Sarzora 11. Seraulim 12. Sao Jose De Areal 13. Telaulim 14. Varca 15. Velim
VIII	Mormugao	15	Mormugao Cluster	1. Cansaulim - Arossim - Cuelim 2. Chicalim

1	2	3	4	5
				3. Chicolna 4. Cortalim - Quelossim 5. Majorda - Utorda - Calata 6. Nagoa 7. Sancoale 8. Velsao - Pale - Issorcim 9. Verna
IX	Quepem	16	Quepem Cluster	1. Ambaulim 2. Assolda 3. Avedem - Cothombi - Chaifi 4. Balli - Adnem 5. Barcem - Quedem 6. Caorem - Pirla 7. Fatorpa - Quitol 8. Molcornem 9. Morpirla 10. Naqueri - Betul 11. Xeldem
X	Sanguem	17	Sanguem Cluster	1. Bhati 2. Kalay 3. Curdi - Vadem 4. Neturlim 5. Rivona 6. Sanvordem 7. Uguem
XI	Dharbandora	18	Dharbandora Cluster	1. Collem 2. Dharbandora 3. Kirlapal - Dabal 4. Mollem 5. Sancordem
XII	Canacona	19	Canacona Cluster	1. Agonda 2. Cola 3. Cotigao 4. Gaondongrim 5. Loliem - Polem 6. Pinguinim 7. Shristhal

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Department of Civil Aviation

Directorate of Civil Aviation

Order

27/DOCA/MOPA-REHAB/2014/504

Sanction of the Government is hereby accorded for implementation of the following rehabilitation package to the 14 project affected families of Mopa Airport Project.

(i) Rehabilitation in survey No. 207 of Casarvarem village in Pernem taluka, after purchasing the land under direct purchase policy.

(ii) 800 sq. mtrs. of land to each of the 14 project affected families in which 100 sq. mtrs. house and 50 sq. mtrs. goat/cowshed to be constructed.

(iii) Community hall (sitting capacity 150 persons).

(iv) Crematorium (2 bodies).

(v) Water supply, Electricity and approach road.

(vi) Grazing rights on about 20,000 sq. mtrs. of land in survey number 207 of Casarvarem village, ownership of which will remain with the Government.

Rehabilitation package will be implemented by the GMR Goa International Airport Limited (GGIAL) on nomination basis based on PWD estimate of Rs. 6.33 crores. The implementation of the package shall be monitored by the PWD and reimbursement of cost to GGIAL, shall be subject to verification and certification by the PWD. In case the expenditure exceeds the PWD estimate, then the excess expenditure will not be reimbursed by the Government to the GGIAL.

The expenditure shall be debited to the Budget Head under Demand No. 84.

- 5053 — Capital outlay on Civil Aviation;
 - 02 — Airports;
 - 800 — Other Expenditure;
 - 01 — Construction of New International Airport at Mopa Pernem (Plan);
 - 53 — Major Works.

This issues with approval of the Finance (Exp.) Department U. O. No. 2683 and FMS No. 1400034878-2017-18 dated 22-09-2017 and 27-09-2017 and approval of Council of Ministers accorded in the XVIIth Cabinet Meeting held on 4-10-2017.

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

Dr. S. Shanbhogue, Director & ex officio Joint Secretary (Civil Aviation).

Porvorim, 11th October, 2017.

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Department of Finance

Office of the Commissioner of Commercial Taxes

Trade Circular

(No. 2 of 2017-18)

CCT/26-2/2017-18

Read: Trade Circular No. 1 of 2017-18 dated 14th September, 2017 issued by the

Commissioner of Commercial Taxes and published in the Official Gazette, Series I No. 25 dated 21st September, 2017.

In the Trade Circular No. 1 of 2017-18 dated 14th September, 2017, published in the Official Gazette, Series I No. 25 dated 21st September, 2017, in the para at serial number 8., for the figures and characters "31-10-2017", the figures and characters "30-11-2017" shall be substituted.

Dipak M. Bandekar, Commissioner of Commercial Taxes.

Panaji, 31st October, 2017.

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Department of Forest

Corrigendum

4-4-2016/FOR/400

Read: Order No. 4-4-2016/FOR/374.

In the Government Order read at preamble at Sr. No. 1 Budget Head Demand No. 68, shall be corrected to read as follows:

- 2551 — Hill Areas;
 - 01 — Western Ghats;
 - 800 — Other Expenditure;
 - 05 — Forest Protection & Development (P);
 - 01 — Salaries.

The rest of the contents shall remain unchanged.

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

Shaila G. Bhosle, Under Secretary (Forest).

Porvorim, 23rd October, 2017.

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Department of Law & Judiciary

Legal Affairs Division

Notification

10/4/2016-LA-169

The Appropriation (No. 5) Act, 2016 (Central Act No. 51 of 2016), which has been passed by Parliament and assented to by the President on 27-12-2016 and published in the Gazette of India, Extraordinary, Part II, Section 1,

dated 28-12-2016, is hereby published for the general information of the public.

Julio Barbosa Noronha, Joint Secretary (Law).

Porvorim, 4th October, 2017.

THE APPROPRIATION (No. 5) ACT, 2016

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 2016-17.

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

1. *Short title.*— This Act may be called the Appropriation (No. 5) Act, 2016.

2. *Issue of Rs. 59978,29,00,000 out of the Consolidated Fund of India for the financial year 2016-17.*— From and out of 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 fifty-nine thousand nine hundred seventy eight crore and twenty-nine lakh rupees towards defraying the several charges which will come in course of payment during the financial year 2016-17 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)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2		3	
		Rs.	Rs.	Rs.
1	Department of Agriculture, Co-operation and Farmers Welfare	Revenue	6192,57,00,000	6192,57,00,000
3	Department of Animal Husbandry, Dairying and Fisheries	Revenue	3,00,000	3,00,000
5	Ministry of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy (AYUSH)	Revenue	4,00,000	4,00,000
9	Ministry of Civil Aviation	Capital	861,65,00,000	861,65,00,000
11	Department of Commerce	Revenue	89,94,00,000	89,94,00,000
		Capital	110,00,00,000	110,00,00,000
12	Department of Industrial Policy and Promotion	Revenue	1,00,000	1,00,000
14	Department of Telecommunications	Revenue	4007,64,00,000	4007,64,00,000
15	Department of Electronics and Information Technology	Revenue	2,44,00,000	2,44,00,000
16	Department of Consumer Affairs	Revenue	1988,39,00,000	1988,39,00,000
17	Department of Food and Public Distribution	Revenue	250,00,00,000	250,00,00,000
18	Ministry of Corporate Affairs	Revenue	14,29,00,000	14,29,00,000

1	2	3		
19	Ministry of Culture	Revenue	2,00,000	.... 2,00,000
20	Ministry of Defence (Miscellaneous).....	Revenue	3512,00,00,000	.... 3512,00,00,000
		Capital	1000,00,00,000	.... 1000,00,00,000
22	Defence Services (Revenue)	Revenue	1000,00,00,000	.... 1000,00,00,000
24	Ministry of Development and North Eastern Region	Revenue	1,00,000	6,50,00,000 6,51,00,000
25	Ministry of Drinking Water and Sanitation	Revenue	4000,00,00,000	.... 4000,00,00,000
26	Ministry of Earth Sciences	Revenue	1,00,000	.... 1,00,000
27	Ministry of Environment, Forests and Climate Change	Revenue	3,00,000	.... 3,00,000
28	Ministry of External Affairs	Revenue	2,00,000	.... 2,00,000
29	Department of Economic Affairs	Revenue	20,04,00,000	.... 20,04,00,000
		Capital	2,00,000	.... 2,00,000
30	Department of Financial Services	Revenue	3,00,000	.... 3,00,000
32	Tranfers to States	Revenue	651,00,00,000	.... 651,00,00,000
		Capital	.... 2500,00,00,000	2500,00,00,000
33	CHARGED.— Repayment of Debt.	Capital	.... 1,00,000	1,00,000
34	Department of Expenditure	Revenue	13,35,00,000	.... 13,35,00,000
35	Pensions	Revenue	1100,00,00,000	10,00,00,000 1110,00,00,000
36	Indian Audit and Accounts Department ..	Revenue	112,49,00,000	6,05,00,000 118,54,00,000
		Capital	2,69,00,000	.... 2,69,00,000
37	Department of Revenue	Revenue	1,00,000	.... 1,00,000
38	Direct Taxes	Capital	2,00,000	.... 2,00,000
39	Indirect Taxes	Revenue	210,00,00,000	.... 210,00,00,000
		Capital	2,00,000	.... 2,00,000
41	Ministry of Food Processing Industries ..	Revenue	2,00,000	.... 2,00,000
42	Department of Health and Family Welfare	Revenue	964,81,00,000	.... 964,81,00,000
		Capital	1,00,000	.... 1,00,000
43	Department of Health Research	Revenue	200,01,00,000	.... 200,01,00,000
44	Department of Heavy Industry	Revenue	4618,93,00,000	.... 4618,93,00,000
		Capital	967,27,00,000	.... 967,27,00,000
46	Ministry of Home Affairs	Revenue	300,02,00,000	.... 300,02,00,000
47	Cabinet	Revenue	226,36,00,000	.... 226,36,00,000
48	Police	Revenue	2263,42,00,000	.... 2263,42,00,000
		Capital	842,99,00,000	12,00,00,000 854,99,00,000
49	Transfers to Union Territories with Legislature	Revenue	95,15,00,000	.... 95,15,00,000
50	Ministry of Housing and Urban Poverty Alleviation	Revenue	2,00,000	.... 2,00,000
51	Department of School Education and Literacy	Revenue	342,04,00,000	.... 342,04,00,000
52	Department of Higher Education	Revenue	763,20,00,000	.... 763,20,00,000

1	2	3			
53	Ministry of Information and Broadcasting	Revenue	20,00,00,000	....	20,00,00,000
		Capital	1,00,000	....	1,00,000
54	Ministry of Labour and Employment	Revenue	1,00,000	....	1,00,000
55	Election Commission	Revenue	1,48,00,000	....	1,48,00,000
		Capital	23,00,00,000	....	23,00,00,000
	<i>CHARGED— Supreme Court of India</i>	Revenue	....	<i>52,12,00,000</i>	<i>52,12,00,000</i>
58	Ministry of Micro, Small and Medium Enterprises	Revenue	2,00,000	....	2,00,000
		Capital	6,00,00,000	....	6,00,00,000
59	Ministry of Mines	Revenue	1,00,000	....	1,00,000
60	Ministry of Minority Affairs	Revenue	1,00,000	....	1,00,000
61	Ministry of New and Renewable Energy	Capital	15,00,00,000	....	15,00,00,000
64	Ministry of Personnel, Public Grievances and Pensions	Revenue	3,00,000	....	3,00,000
		Capital	18,22,00,000	....	18,22,00,000
66	Ministry of Petroleum and Natural Gas ..	Revenue	81,16,00,000	....	81,16,00,000
		Capital	1450,00,00,000	....	1450,00,00,000
68	Ministry of Power	Revenue	476,26,00,000	....	476,26,00,000
		Capital	1493,59,00,000	....	1493,59,00,000
	<i>CHARGED.— Staff, Household and allowances of the President</i>	Revenue	....	<i>3,41,00,000</i>	<i>3,41,00,000</i>
	<i>CHARGED.— Union Public Service Commission</i>	Revenue	....	<i>24,92,00,000</i>	<i>24,92,00,000</i>
73	Secretariat of the Vice-President	Revenue	39,00,000	....	39,00,000
74	Ministry of Road Transport and Highways	Revenue	2,00,000	....	2,00,000
		Capital	1,00,000	....	1,00,000
75	Department of Rural Development	Revenue	8004,25,00,000	....	8004,25,00,000
79	Department of Biotechnology	Revenue	97,23,00,000	....	97,23,00,000
80	Ministry of Shipping.....	Revenue	4,00,000	....	4,00,000
		Capital	56,24,00,000	....	56,24,00,000
81	Ministry of Skill Development and Entrepreneurship	Revenue	368,72,00,000	....	368,72,00,000
82	Department of Social Justice and Empowerment	Revenue	3,00,000	....	3,00,000
83	Department of Empowerment of Persons with Disabilities	Revenue	1,00,000	....	1,00,000
84	Department of Space	Revenue	1,14,00,000	....	1,14,00,000
		Capital	235,00,00,000	....	235,00,00,000
85	Ministry of Statistics and Programme Implementation	Revenue	6,99,00,000	....	6,99,00,000
86	Ministry of Steel	Revenue	42,53,00,000	....	42,53,00,000
		Capital	200,00,00,000	<i>110,00,00,000</i>	310,00,00,000
87	Ministry of Textiles	Revenue	1471,31,00,000	....	1471,31,00,000
		Capital	70,00,00,000	....	70,00,00,000

1	2	3		
88	Ministry of Tourism	Revenue	80,61,00,000	.... 80,61,00,000
89	Ministry of Tribal Affairs	Revenue	50,00,000	3,20,00,000 3,70,00,000
90	Andaman and Nicobar Islands	Capital	1,00,000	.... 1,00,000
91	Chandigarh	Revenue	100,00,00,000	.... 100,00,00,000
		Capital	6,00,000	200,00,00,000 200,06,00,000
93	Daman and Diu	Revenue	1,00,000	.... 1,00,000
		Capital	1,00,000	.... 1,00,000
94	Lakshadweep	Revenue	3,00,000	.... 3,00,000
		Capital	10,00,000	.... 10,00,000
95	Ministry of Urban Development	Revenue	2307,00,00,000	.... 2307,00,00,000
		Capital	3700,01,00,000	.... 3700,01,00,000
97	Ministry of Women and Child Development	Revenue	2,00,000	.... 2,00,000
TOTAL			57050,08,00,000	2928,21,00,000 59978,29,00,000

Notification

10/4/2016-LA-170

The Appropriation (No. 4) Act, 2016 (Central Act No. 50 of 2016), which has been passed by Parliament and assented to by the President on 27-12-2016 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 28-12-2016, is hereby published for the general information of the public.

Julio Barbosa Noronha, Joint Secretary (Law).

Porvorim, 4th October, 2017.

THE APPROPRIATION (No. 4) ACT, 2016

AN

ACT

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 2014, in excess of the amounts granted for those services and for the year.

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

1. *Short title.*— This Act may be called the Appropriation (No. 4) Act, 2016.

2. *Issue of Rs. 773,31,04,483 out of the Consolidated Fund of India to meet certain excess expenditure for the year ended on the 31st March, 2014.*— From and out of the Consolidated Fund of India, the sums specified in column 3 of the Schedule, amounting in the aggregate to the sum of seven hundred seventy-three crore thirty-one lakh four thousand four hundred eighty-three rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 2014, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*— The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 2014.

THE SCHEDULE
(See sections 2 and 3)

No. of Vote	Services and purposes	Excess			
		Voted portion	Charged portion	Total	
1	2	3			
		Rs.	Rs.	Rs.	
20	Ministry of Defence.....	Revenue	35,88,89,749	....	35,88,89,749
21	Defence Pensions	Revenue	....	74,86,943	74,86,943
23	Defence Services—Navy	Revenue	120,40,30,532	....	120,40,30,532
24	Defence Services—Air Force	Revenue	186,72,28,987	....	186,72,28,987
25	Defence Ordnance Factories	Revenue	425,73,40,471	85,94,831	426,59,35,302
32	Ministry of External Affairs	Capital	2,95,32,970	....	2,95,32,970
TOTAL			771,70,22,709	1,60,81,774	773,31,04,483



Department of Planning

Directorate of Planning, Statistics & Evaluation

Notification

DPSE/IV/UID/Aadhaar Act/2017/1753

In pursuance of the proviso to section 3 of the Goa Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2017 (Goa Act 11 of 2017), the Government of Goa hereby offers the following alternate and viable means of identification for delivery of subsidy, benefit or service, if an Aadhaar Number is not assigned to an individual, namely:—

(i) Aadhaar Enrolment ID Slip if the individual has enrolled; or

(ii) A copy of the request made for Aadhaar enrolment, alongwith any of the following documents:—

(a) The Voter identity card issued by the Election Commission of India; or

(b) The Permanent Account Number (PAN) Card issued by the Income Tax Department; or

(c) The Passport; or

(d) The Driving Licence issued by the Licensing Authority under the Motor Vehicles Act, 1988 (Central Act 59 of 1988); or

(e) The Certificate of Identity having photo of individual issued by a Gazetted Officer on an official letter head; or

(f) Bank Passbook.

This Notification shall come into force with immediate effect.

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

Dr. Y. Durga Prasad, Director & ex officio,
Joint Secretary (Planning).

Porvorim, 30th October, 2017.

MORMUGAO PORT TRUST

Notification

GAD/Legal-Amend/Regs./23/2017/2252

In exercise of the powers conferred under Section 123 of the Major Port Trusts Act, 1963 (Act 38 of 1963), the Board of Trustees of the Port of Mormugao hereby, makes the Regulations, namely, the Mormugao Port Trust Stevedoring and Shore Handling Regulations, 2017 in supersession of the existing Mormugao Port Trust (Licensing of Stevedores) Regulations, 2010 and subject to the approval of the Central Government, are here set out in the schedule annexed to this Notification and published as per sub-section (2) of Section 124 of Act.

Sd/- (I. JEYAKUMAR), Chairman of the Board of Trustees of the Port of Mormugao.

Mormugao, 11th October, 2017.

Mormugao Port Trust Stevedoring and Shore Handling Regulations, 2017

GOA

Dated: October, 2017.

In exercise of the powers conferred under Section 123 of the Major Port Trusts Act, 1963 (Act 38 of 1963), the Board of Trustees of the Port of Mormugao hereby, in supersession of the existing Mormugao Port Trust (Licensing of Stevedores) Regulations, 2010 and subject to the approval of the Central Government, frames Mormugao Port Trust Stevedoring and Shore Handling Regulations, 2017 hereunder:

1. *Short title.*— (i) These Regulations may be called “The Mormugao Port Trust Stevedoring and Shore Handling Regulations, 2017”.

(ii) These Regulations shall come into force w.e.f. the date on which it is published in the Official Gazette.

2. *Definitions.*— In this Regulation, unless the context otherwise requires:-

(i) “Act” means the Major Port Trusts Act, 1963.

(ii) “Board” means the Board of Trustees of the Port of Mormugao as constituted under the Act.

(iii) “Chairman” means Chairman of the Board.

(iv) “Traffic Manager” or “TM” means the Traffic Manager of the Port Trust Board and Head of the Traffic Department.

(v) “Form” means forms annexed to these Regulations.

(vi) “Port” or “MPT” shall mean Mormugao Port Trust.

(vii) “Stevedore” is an agent authorized under these Regulations for loading and unloading and stowage of cargo in any form on board the vessels in Ports.

(viii) Stevedoring includes loading, unloading and stowage of cargo in any form on board the vessels in Ports.

(ix) Shore Handling includes arranging and receiving the cargo to/from the hook point, inter modal transport from wharf to stack-yard and vice-versa and also receiving and delivering of cargo from/to wagons/trucks.

(x) “TAMP” shall mean Tariff Authority for Major Ports.

(xi) “Royalty” shall mean the amount fixed by Mormugao Port Trust which is payable by the Stevedoring and Shore Handling Agents to Mormugao Port Trust from the revenue receivable (based on the tariff fixed by TAMP) by them for rendering stevedoring and/or shore handling services to their principals. It may be clarified whether royalty will be charged as per percentage of revenue or per tonne basis keeping in view that TAMP will fix different tariff for different types of cargoes.

(xii) "Stevedoring and Shore Handling Agent" shall mean person(s) having combined Stevedoring and Shore Handling License issued under these Regulations for undertaking Stevedoring and Shore handling activities in Mormugao Port Trust.

(xiii) "Licensee" shall mean a person to whom a Stevedoring & Shore Handling License has been issued under these Regulations.

3. *Scope.*— The Regulations shall cover the following activities:-

(i) Stevedoring activities undertaken by the Port and/or licensed Stevedore in a Major Port.

(ii) Shore Handling activities undertaken by the port and/or licensed Shore Handling Agents or by agents under any other name.

(iii) The Stevedoring and Shore handling shall cover the activities on board and on shore respectively.

(iv) Combined Stevedoring and Shore Handling licenses will be handled by MPT and any exceptions would need to be approved by the Board or equivalent authority basis credible justification for it.

(v) No Agency shall undertake to perform these activities in MPT unless and until they are issued a valid license by the Port for the purpose.

(vi) The Stevedoring and Shore Handling Regulations do not apply to port operated Stevedoring & Shore Handling; this exemption is only for operations entirely carried out by the Port and not for operations carried out by agents partly or fully using port's labour.

(vii) Stevedoring Regulations also do not apply to PPP & BOT berth operations.

4. *Stevedoring and Shore Handling Charges.*— (i) TAMP shall notify the normative tariff for Stevedoring and Shore Handling

activities, separately for mechanized and manual operations based on a set of Guidelines to be issued to TAMP. This tariff shall be ceiling tariff. In case of any change in Role for TAMP in future, Boards of Major Ports will fix and notify the Rates based on the performance norms enforced in MPT as per Performance Norm Policy Guidelines.

(ii) All port customers will be notified on the ceiling tariffs set for Stevedoring and Shore Handling activities. The tariff will be mandatorily displayed on the MPT website.

(iii) The Traffic Manager shall be the nodal officer responsible for monitoring of Stevedoring and Shore Handling tariffs. The TM will be responsible for handling all complaints on violation of Stevedoring and Shore Handling ceiling tariff.

(iv) MPT shall appoint a nodal officer responsible for Stevedoring and Shore Handling tariffs. He shall also be responsible for handling complaints on receiving complaints regarding violation of stevedoring and shore handling tariff.

(v) MPT shall charge a royalty for the Stevedoring and Shore-handling. MPT shall fix a per Metric Tonne royalty rate from all agents based on the rates as per Scale of Rates. No discrimination will be made among the Stevedoring and Shore Handling agents on the royalty license fee.

5. *License for Stevedores and Shore Handling Agents.*— (1) MPT shall host the Stevedoring and Shore Handling Regulations, 2017 in its website and any eligible person/firm/company which fulfils the eligibility criteria can apply for license at any time on-line along with requisite documents.

(2) The Stevedoring and Shore Handling Licenses shall be issued by the Port to applicant subject to fulfillment of following criteria:

(i) Applicant is a company registered under the Company's Act or a Partnership Firm or any other legal entity.

(ii) Applicant deposits Security Amount of atleast Rs. 5 lakhs to meet any contingency which shall be refunded without interest after adjusting the claims, if any, when the Licensee ceases to operate.

(iii) Applicant submits an undertaking to provide equipment/gear required for both the operations as specified by the Port Trust Board.

(iv) Applicant submits an undertaking to employ atleast six (6) supervisory personnel with minimum 2 years of Cargo handling/stowage experience for undertaking both the functions. Their Profiles have to be enclosed alongwith the application.

6. *License Fees.*— The fee for issue of license shall be Rs. 50,000/- excluding taxes for a period of 3 yrs. which may be revised from time to time by the Port Trust Board.

7. *Validity/Renewal of License.*— (i) The license will be valid for a period of three financial years from the date of issuance of license.

(ii) The daily performance report capturing productivity achieved by the Stevedoring agent in the prescribed format shall be submitted by the Stevedoring & Shore Handling agent to the Traffic Department online. The Chairman of the Port Trust, Traffic Manager or the officer acting on his behalf will review the performance of Stevedoring & Shore Handling agent every month.

(iii) Compliance of terms and conditions of the license issued to the agents, safety norms followed by the agents will be monitored by Traffic Manager and a report to be submitted to the Chairman.

(iv) If the Traffic Manager finds any default on the part of Stevedoring & Shore Handling agent, he shall cause to issue warning in the event of first default and in the event of second default, the license of the Stevedoring & Shore Handling agent shall be liable to be cancelled, apart from levying penalties.

(v) At the end of three years, the license shall be renewed strictly on the basis of above mentioned performance reports.

(vi) The application for renewal of license shall be submitted in prescribed form, at least three months prior to expiry of license alongwith the requisite fee/late fees. Before renewal of the license a report may be obtained from the Inspector appointed under the Dock Workers/Safety Health and Welfare Act, 1986 in respect of compliance with the safety norms as per the statute and the same may be taken into consideration for granting renewal.

(vii) If the application for renewal is not received within the stipulated period of 3 months, such applications may be accepted by the Traffic Manager, upon payment of Rs. 5000/- excluding taxes, to the Port, provided that the application for renewal together with the late fee is received by the Traffic Manager before the actual date of the expiry of the license.

(viii) Before issue of renewal of licenses, a report regarding the safety performance and compliance of Dock Safety Statutes shall be obtained from the 'Inspector' declared under the Dock Workers (Safety, Health and Welfare) Act, 1986 which shall be taken into consideration while granting the renewal of the license. If the Stevedore & Shore Handling agent fulfils the required conditions and is eligible for renewal but awaiting safety clearance before expiry of the license period, Port may permit the Stevedoring operation by executing an Indemnity bond.

(ix) The application for grant/renewal of Stevedoring license shall be made in Form "A" to the Traffic Manager.

(x) Every License granted or renewed under these Regulations shall be in Form "B".

(xi) In the event of loss or defacing of the original license, a duplicate license may be obtained on an application made to the Traffic Manager on payment of Rs. 2000/-, excluding taxes.

8. *Migration to The New Stevedoring and Shore Handling Scheme.*— The new Stevedoring and Shore Handling Regulation shall come into effect from the date of its notification unless otherwise specified in these Regulations. All existing licensees undertaking stevedoring and shore handling activity in MPT will have to apply for fresh license under these Regulations. If such licensees do not apply for fresh license under these Regulations for switching over to the new scheme, their license(s) shall be terminated by MPT after giving due notice to them. The migration to the new scheme shall be allowed subject to fulfillment of all the provisions of these Regulations.

9. *Duties And Responsibilities.*— Stevedores & Shore Handling agents shall perform the following duties, responsibilities and performance parameters and ensure the safe and efficient handling, keeping in view the following basic criteria:

(i) The Stevedore & Shore Handling agents shall comply with applicable safety norms in relation to such operations and with the applicable statutes regarding labour.

(ii) Stevedoring & Shore Handling agents shall indemnify the Board against all third party claims arising out of such operations.

(iii) The Stevedore & Shore Handling agents shall be solely responsible for any accident or damage resulting either out of negligence, from the use of defective gear or for any other reasons/actions.

(iv) Whenever casual workers are deployed, the Stevedore & Shore Handling agents should ensure that such workers are covered by the insurance policy and such other benefits as applicable under Law.

(v) In the event of any accident, the Stevedore & Shore Handling agents are liable to settle the claim as per the Workmen's Compensation Act.

(vi) The Stevedore & Shore Handling agents shall pay scheduled charges to Port in advance.

(vii) The Stevedore & Shore Handling agents may deploy adequate supervisory personnel per vessel.

(viii) The Stevedore & Shore Handling agents shall ensure that all the amount due to the Board is paid on the appointed dates, failing which the license is liable to be cancelled.

(ix) The Stevedore & Shore Handling agents shall comply with such instructions as may be issued from time to time by the Traffic Manager or any officer acting on his behalf, in the interest of safety, operational requirement, improved productivity and labour discipline.

(x) If any gear, plant or any other property of the Board is damaged in the course of stevedoring and shore handling operation the Stevedore and Shore Handling agent shall compensate the Board for such loss or damage.

(xi) Stevedore & Shore Handling agents shall deploy necessary equipment as indicated by the Port in the license.

(xii) Stevedore & Shore Handling agents shall achieve the performance norms fixed by the Port.

(xiii) The Stevedore & Shore Handling agencies shall publish their tariff along with break up in their websites and in the website of the Port.

10. *Cancellation/Suspension of License.*— (A) The port may at any time suspend or cancel the license issued to a Stevedore & Shore Handling agent for violation of any of the terms of license or for any reasons listed below:

(i) The firm does not achieve the performance norms issued by the Port Authority for an average over a period of three (3) months.

(ii) The firm is found to be charging higher than the ceiling tariff defined for Stevedore & Shore Handling activities in the Port.

(iii) The CEO of the Stevedoring and Shore Handling firm has been convicted by the Court of any offence involving moral turpitude and sentenced in respect thereof, to imprisonment for not less than six months, and a period of five years has not elapsed from the date of expiry of the sentence.

(iv) Violation of safety regulations and mandatory Dock Safety measures.

(v) Adopting improper and unsafe handling methods.

(vi) Misrepresentation or misstatement of material facts.

(vii) Firm adjudged insolvent or going into liquidations.

(viii) Transfer of the stevedoring operations or sublet of the license to any other individual or parties.

(ix) Violation of security related rules & instructions like ISPS code compliance.

(x) Any misconduct which in the opinion of the Board warrant such cancellation or suspension.

(xi) Indulging in illegal/corrupt practices.

(xii) Causing obstruction to any work in the Port, compromising safety, illegal or malicious acts and/or for non-compliance of any direction given by the Traffic Manager or an officer acting on his behalf.

(B) Provided that no such license shall be cancelled or suspended as the case may be until the holder of the license has been given a reasonable opportunity for showing cause why his license should not be cancelled or suspended as the case may be.

(C) Provided further that, the written order communicating the suspension/

cancellation/refusal to issue licenses for any of the violation listed in Clause (a) above or otherwise, shall be made reasonably within a period of 30 days from the date of original intimation/notice issued to a Stevedore.

11. *Appeal.*— (i) Any person aggrieved by any order relating to cancellation/suspension/refusal to issue licenses, may prefer an appeal in writing to the Chairman, MPT or any other higher authority, as the case may be, within 30 days of the communication of the order appealed against.

12. *Deployment of Workers From Port/DLBs/ License Holder or outside.*— (i) Existing practice of deploying port labour by Stevedore and Shore Handling agents may continue. In case the Port is unable to supply the requisite workers against the requisition placed by Stevedore and Shore Handling agent, the port may allow the Stevedore and the Shore Handling agent to make their own arrangement for this purpose. No notional booking or levying of charges should be made and agents shall not be levied any charges for labour, in case the Port Trust does not supply the labour.

13. *Performance Norms.*— (i) Productivity norms for the Stevedore and Shore Handling agents shall be calculated basis "Performance Norm Policy". Performance based penalty & incentives shall be enforced in accordance with the "Performance Norm Policy". Port Trust shall re-assess the penalty bands and/or incentive bands in the frequency as prescribed by the performance norm.

(ii) Daily performance report in the prescribed format shall be submitted by the Stevedoring & Shore Handling agent to the Traffic Department online. Performance of the agent in terms of productivity achieved will be reviewed by the Port Chairman every month. The monthly performance summary capturing productivity achieved by the respective agents will be published on the Port website to ensure transparency to the customers.

(iii) Licenses of agents failing to meet productivity norms for an average over a period of 3 months can be revoked by the Port Authority.

(iv) In case of Dry Bulk cargo the norms fixed by MPT under the Berthing Policy for Dry Bulk Cargo for Major Ports, 2016 shall be the performance norms for the purpose of these Regulations also.

(v) In respect of other cargo, not covered under the Berthing Policy for Dry Bulk Cargo for Major Ports, 2016, including break-bulk and container the performance norms will be those fixed by MPT for the purpose of these Regulations.

(vi) The Stevedoring and Shore Handling Agents will also be liable to performance based penalty and incentives in accordance with the Berthing Policy for Dry Bulk Cargo for Major Ports, 2016 as will be adopted by MPT from time to time with the approval of TAMP or any other Competent Authority.

14. *Training, Use of Modern Technology.*—
(i) The personnel deployed in Stevedoring & Shore Handling activities shall be trained in modern methods of cargo handling for improving the productivity, efficiency and safety.

15. *Miscellaneous.*— (i) The Traffic Manager may issue, from time to time, such appropriate operational guidelines/instructions or such other directions as is required for the smooth implementation and execution of these Regulations; after obtaining the approval of the Chairman.

(ii) The forms required for grant/renewal of stevedoring license under these Regulations shall be such as may be prescribed from time to time.

16. *Interpretation.*— (i) If any question arises as to the interpretation of these Regulations or in respect of any matter not hereinabove or subsequently provided for, the same shall be decided by the Chairman, MPT.

17. *Repeal and Savings.*— (i) “The Mormugao Port Trust (Licensing of Stevedores) Regulations, 2010” and the procedures, practices and customs corresponding to these Regulations and in force immediately before the commencement of these Regulations are hereby repealed.

(ii) Provided that any order made or action taken under the Regulations, procedure, practices and customs so repealed shall be deemed to have been made or taken under the corresponding provisions of these Regulations.

FORM-A

(Under Regulation 7 (ix) of The Mormugao Port Trust Stevedoring and Shore Handling Regulations, 2017)

MORMUGAO PORT TRUST

Traffic Department

To,
The Traffic Manager,
Mormugao Port Trust.

Application Form for the Grant/Renewal of Stevedoring and Shore Handling Licence

- | | |
|--|---|
| 1) Name of the applicant | : |
| 2) Whether individual, firm or company (Article of partnership/company to be produced) | : |
| 3) Full Address | : |
| 4) Year/s for which licence is required | : |

- 5) Name/s of the Steamship Company/Charterer of ship/owner of cargo, with whom the contract for stevedoring their vessel/cargo subsists or is proposed to be entered
(Proof of contract for the period covered is to be appended. The approximate tonnage for each party is to be indicated) :
- 6) Previous experience in the field, if any
(The cargo and tonnage stevedored in the previous 3 years to be furnished) :
- 7) Amount of financial ability to meet the obligations on account of wages compensation under Workmen's Compensation Act etc.
(A certificate from the bankers as to the financial ability and Income Tax Clearance Certificate to be produced) :
- 8) Whether the applicant has/is willing to acquire gear for stevedoring the contracted vessel/cargo?
(List of gear with necessary certificate to be furnished)
- 9) Whether the applicant has/is willing to have in his employment adequate staff with experience and conversant with Rules and Regulations
(A list of the staff and their experience to be furnished) :
- 10) Whether the applicant has cleared all the amounts, if any, on account of transactions he had with the Mormugao Port Trust/CHLD ? :
- 11) Whether the licence fee and the security deposit has been paid ?
(The receipt for the payment is to be attached. The licence fee and the deposit will be refunded if licence is not issued/renewed) :
- 12) Whether the applicant has deposited a sum of Rs. 5 lakhs in the form of Pay order/Demand Draft? :

I affirm that the particulars given are true to the best of my knowledge.

I agree to furnish any other information/produce any record for inspection as may be required to consider the request for grant of licence.

I agree to abide by the Mormugao Port Trust Stevedoring and Shore Handling Regulations, 2017.

and to comply with any other conditions made by the Chairman or any other officer authorized under Mormugao Port Trust Stevedoring and Shore Handling Regulations, 2017 from time to time, if the licence is issued/renewed.

Place:

Signature of Applicant

Date:

N. B. The grant/renewal of Licence will be entirely at the discretion of the Chairman.

FORM-B

(Under Regulation 7 (x) of Mormugao Port Trust Stevedoring and Shore Handling Regulations, 2017)

MORMUGAO PORT TRUST
Traffic Department

Ref. No.

Dt.

Licence For Undertaking Stevedoring Operations at the Mormugao Port Trust.

1. Name of the Licencee:
2. Address:
3. Period for which the licence is granted:
4. This licence is issued subject to the the Mormugao Port Trust Stevedoring and Shore Handling Regulations, 2017.

Signature of Licensing Authority

Chairman, Mormugao Port Trust

*The conditions will be drawn mainly based on the Mormugao Port Trust Stevedoring and Shore Handling Regulations, 2017.

**मुरगांव पत्तन न्यास
मुरगांव पत्तन न्यास स्टीवीडोरिंग तथा शोर हैण्डलिंग
विनियम, २०१७**

गोवा

दिनांक: ऑक्टोबर, २०१७

अधिसूचना

महापत्तन न्यास अधिनियम, १९६३ (१९६३ का ३८) की धारा-१२३ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुरगांव पत्तन का न्यासी मंडल, मौजूदा मुरगांव पत्तन न्यास (स्टीवीडोरिंग तथा शोर हैण्डलिंग) विनियम, २०१७ का अधिक्रमण करते हुए केन्द्र सरकार के अनुमोदन के अधीन मुरगांव पत्तन न्यास स्टीवीडोरिंग तथा शोर हैण्डलिंग विनियम, २०१७ बनाता है। यह विनियम इस अधिसूचना से संलग्न अनुसूची में निर्धारित है और अधिनियमकी धारा -१२४ की उप-धारा (२) के अनुसार प्रकाशित किए गए हैं।

हस्ता/—

(आई. जेयकुमार)

मुरगांव पत्तन न्यासी मंडल के अध्यक्ष

**मुरगांव पत्तन न्यास स्टीवीडोरिंग तथा शोर हैण्डलिंग
विनियम, २०१७**

महापत्तन न्यास अधिनियम, १९६३ (१९६३ की धारा ३८) की धारा १२३ के तहत प्रदत्त शक्तियों का प्रयोग करते हुए मुरगांव पत्तन के न्यासी मंडल ने मौजूदा मुरगांव पत्तन न्यास (स्टीवीडोरिंग तथा शोर हैण्डलिंग) विनियम,

२०१० का अधिक्रमण करते हुए तथा केन्द्र सरकार के अनुमोदन के अधीन मुरगांव पत्तन न्यास स्टीवीडोरिंग तथा शोर हैण्डलिंग विनियम, २०१७ बनाता है —

१. संक्षिप्त नाम — (i) इन विनियमों को “मुरगांव पत्तन न्यास स्टीवीडोरिंग तथा शोर हैण्डलिंग विनियम, २०१७” कहा जाए।

(ii) ये विनियम सरकारी राजपत्र में उनके प्रकाशन की तारीख से लागू होंगे।

२. परिभाषा — इन विनियमों में जब तक संदर्भ में अन्यथा अपेक्षित न हो —

(i) “अधिनियम” का अर्थ महापत्तन न्यास अधिनियम १९६३ है।

(ii) “मंडल” का अर्थ अधिनियम के अंतर्गत गठित मुरगांव पत्तन का न्यासी मंडल है।

(iii) “अध्यक्ष” का अर्थ मंडल का अध्यक्ष है।

(iv) “यातायात प्रबंधक” अथवा “टीएम” का अर्थ है पत्तन न्यास मंडल का यातायात प्रबंधक तथा यातायात विभाग के प्रमुख।

(v) “फार्म” का अर्थ है इन विनियमों के साथ संलग्न फार्म।

(vi) “पत्तन” अथवा “एमपीटी” का अर्थ होगा मुरगांव पत्तन न्यास।

(vii) “स्टीवीडोर” पत्तनों में जहाजों पर किसी भी प्रकार नौभार के भारण, अभाण तथा स्टोवेज हेतु प्राधिकृत एजेंट है।

(viii) स्टीविडोरिंग में पत्तन में जहाजों पर किसी की प्रकार के नौभार का भारण, अभाण तथा स्टोवेज शामिल है।

(ix) शोर हैण्डलिंग में हुक प्वाइंट तक/से नौभार की व्यवस्था व प्रापण, वार्फ से स्टेक—यार्ड तथा वापसी क्रम में इन्टर मोडल ट्रान्सपोर्ट तथा वैगनों/ट्रकों से/तक नौभार का प्रापण तथा प्रेषण, शामिल है।

(x) “टैम्प” का अर्थ है महापत्तनों के प्रशुल्क प्राधिकारी।

(xi) “रॉयल्टी” का अर्थ है मुरगांव पत्तन न्यास द्वारा नियत राशि जो स्टीविडोरिंग तथा शोर हैण्डलिंग एजेण्टों द्वारा उनके प्रधानों को स्टीविडोरिंग तथा/अथवा शोर हैण्डलिंग सेवाओं के लिए उनके द्वारा प्राप्य राजस्व (टैम्प द्वारा नियत प्रशुल्क के आधार पर) से मुरगांव पत्तन न्यास को देय है। यह स्पष्ट किया जाए कि टैम्प विभिन्न प्रकार के नौभारों के लिए अलग-अलग प्रशुल्क नियत करेगा इस बात को ध्यान में रखते हुए क्या राजस्व की प्रतिशत या प्रति टन आधार पर रायल्टी प्रभारित की जाएगी।

(xii) “स्टीविडोरिंग तथा शोर हैण्डलिंग एजेण्ट” वह व्यक्ति/वे व्यक्ति है जिनके पास मुरगांव पत्तन न्यास में स्टीविडोरिंग तथा शोर हैण्डलिंग क्रियाकलाप निष्पादित करने के लिए इन विनियमों के तहत जारी समेकित स्टीविडोरिंग तथा शोर लाइसेंस है।

(xiii) “लाइसेंसधारी” वह व्यक्ति है जिन्हें इन विनियमों के तहत स्टीविडोरिंग तथा शोर हैण्डलिंग लाइसेंस जारी किया गया है।

३. विस्तार.— इस विनियम के अंतर्गत निम्नलिखित गतिविधियां शामिल होंगी :-

(i) महापत्तन में पत्तन द्वारा तथा/अथवा लाइसेंस स्टीविडोरिंग द्वारा कार्यान्वित स्टीविडोरिंग गतिविधियां।

(ii) पत्तन तथा/अथवा लाइसेंस शोर हैण्डलिंग एजेण्टों अथवा किसी अन्य नाम के तहत एजेण्टों द्वारा कार्यान्वित शोर हैण्डलिंग गतिविधियां।

(iii) स्टीविडोरिंग तथा शोर हैण्डलिंग के अंतर्गत जहाज की तथा तटीय गतिविधियां शामिल होंगी।

(iv) संयुक्त स्टीविडोरिंग तथा शोर हैण्डलिंग लाइसेंसिस एमपीटी द्वारा नियंत्रित किए जाएंगे और किसी भी अपवाद को मंडल या समतुल्य प्राधिकरण द्वारा समुचित औचित्य के आधार पर अनुमोदित करना होगा।

(v) कोई भी एजेसी इन गतिविधियों को एमपीटी में तब तक कार्यान्वित नहीं करेगा जब तक कि उन्हें इस प्रयोजनार्थ पत्तन द्वारा वैध लाइसेंस जारी न किया जाए।

(vi) स्टीविडोरिंग तथा शोर हैण्डलिंग विनियम पत्तन प्रचालित स्टीविडोरिंग तथा शोर हैण्डलिंग पर लागू नहीं होते हैं, यह छूट केवल पत्तन द्वारा पूर्णतया प्रचालित कार्यों के लिए है, न कि पत्तन श्रमिकों के माध्यम से एजेंट द्वारा आंशिक या पूर्णतया किए जा रहे कार्यों के लिए।

(vii) स्टीविडोरिंग विनियम पीपीपी तथा बीओटी बर्थ प्रचालनों पर भी लागू नहीं होते हैं।

४. स्टीविडोरिंग तथा शोर हैण्डलिंग प्रभार.— (i) टैम्प मैकनाइज्ड तथा मैनुअल प्रचालनों के लिए अलग से टैम्प को प्रस्तुत किए जानेवाले दिशानिर्देशों के आधार पर स्टीविडोरिंग तथा शोर हैण्डलिंग क्रियाकलापों के लिए सामान्य प्रशुल्क अधिसूचित करेगा। यह प्रशुल्क अधिकतम प्रशुल्क होगा। भविष्य में टैम्प की भूमिका में यदि कोई परिवर्तन होता है तो महापत्तनों के मंडल निष्पादन मानक नीति दिशानिर्देशों के अनुसार एमपीटी में लागू निष्पादन—मानकों के आधार पर दरों को नियत कर अधिसूचित करेंगे।

(ii) स्टीविडोरिंग तथा शोर हैण्डलिंग क्रियाकलापों के लिए सभी पत्तन प्रयोक्ता अधिकतम प्रशुल्क के आधार पर अधिसूचित होंगे। प्रशुल्क को एमपीटी की वेबसाइट पर अधिदेशात्मक रूप से प्रदर्शित किया जाएगा।

(iii) स्टीविडोरिंग तथा शोर हैण्डलिंग प्रशुल्क के मानिटरिंग हेतु यातायात प्रबंधक जिम्मेदार नोडल अधिकारी होंगे। स्टीविडोरिंग तथा शोर हैण्डलिंग सीलिंग प्रशुल्क के उल्लंघन संबंधी शिकायतों पर टीएम विचार करेंगे।

(iv) स्टीविडोरिंग तथा शोर हैण्डलिंग प्रशुल्क के लिए एमपीटी एक नोडल अधिकारी का चयन करेंगे। वे स्टीविडोरिंग तथा शोर हैण्डलिंग प्रशुल्क के उल्लंघन के संबंध में प्राप्त शिकायतों पर विचार करेंगे।

(v) स्टीविडोरिंग तथा शोर हैण्डलिंग हेतु एमपीटी रायल्टी प्रभारित करेगा। एमपीटी, दरमानों के आधार पर सभी एजेण्टों से प्रति मेट्रीक टन रॉयल्टी दर नियत करेगा। रॉयल्टी लाइसेंस शुल्क के संबंध में स्टीविडोरिंग तथा शोर हैण्डलिंग एजेण्टों के बीच कोई पक्षपात नहीं किया जाएगा।

५. स्टीविडोरिंग तथा शोर हैण्डलिंग एजेण्टों के लिए लाइसेंस.— १. एमपीटी, स्टीविडोरिंग तथा शोर हैण्डलिंग विनियम, २०१७ को अपनी वेबसाइट पर अपलोड करेगा और पात्र व्यक्ति/फर्म/कंपनी जो पात्रता मानदण्डों को पूरा करते हैं वे लाइसेंस के लिए अपेक्षित दस्तावेजों सहित किसी भी समय ऑन—लाईन आवेदन कर सकते हैं।

२. आवेदक को स्टीविडोरिंग तथा शोर हैण्डलिंग लाइसेंस पत्तन द्वारा तभी जारी किया जाएगा यदि वे निम्नलिखित मानदण्डों को पूरा करते हैं :—

(i) आवेदक, कंपनी अधिनियम के तहत पंजीकृत एक कंपनी या एक पार्टनरशिप फर्म या कोई अन्य विधिक अस्तित्व है।

(ii) आवेदक, किसी भी आकस्मिकता को पूरा करने के लिए कम से कम ५ लाख रुपए की प्रतिभूति राशि जमा करेगा जो राशि लाइसेंसधारी जब प्रचालन बंद करता है तो दावा, यदि कोई हो, को समायोजित करने के पश्चात ब्याज के बिना वापस करेगा।

(iii) आवेदक वचन देता है कि पत्तन न्यास मंडल द्वारा निर्दिष्ट किए अनुसार दोनों प्रचालनों के लिए आवश्यक उपकरण/गियर की व्यवस्था करेगा।

(iv) आवेदक यह भी वचन देता है कि वह कम से कम छह (६) पर्यवेक्षकीय कार्मिकों को नियोजित करेगा जिन्हें दोनों कार्य करने के लिए नौभार सम्ललाई/स्टोवेज में न्यूनतम २ वर्षों का अनुभव हो। आवेदन के साथ उन्हें अपना विवरण संलग्न करना होगा।

६. लाइसेंस शुल्क.— लाइसेंस जारी करने हेतु शुल्क ३ वर्षों की अवधि के लिए कर रहित रु. ५०,०००/— है जो पत्तन न्यास मंडल द्वारा समय-समय पर संशोधित किया जाएगा।

७. लाइसेंस की वैधता/नवीनीकरण.— (i) यह लाइसेंस, जारी होने की तारीख से तीन वित्तीय वर्षों के लिए वैध होगा।

(ii) स्टीविडोरिंग एजेण्ट द्वारा प्राप्त उत्पादकता दशनिवाला दैनिक निष्पादन रिपोर्ट स्टीविडोरिंग तथा शोर हैण्डलिंग एजेण्ट निर्धारित प्रपत्र में यातायात विभाग को ऑनलाईन प्रस्तुत करेगा। पत्तन न्यास के अध्यक्ष, यातायात प्रबंधक या उनकी ओर से कार्यकारी अधिकारी प्रति माह स्टीविडोरिंग तथा शोर हैण्डलिंग एजेण्ट के निष्पादन का पुनरीक्षण करेंगे।

(iii) एजेण्टों को जारी लाइसेंस की शर्तों का अनुपालन, एजेण्टों द्वारा अपनाए जानेवाले सुरक्षा मानकों का मानिट्रिंग यातायात प्रबंधक द्वारा किया जाएगा जिसकी रिपोर्ट अध्यक्ष को प्रस्तुत की जाएगी।

(iv) यातायात प्रबंधक द्वारा स्टीविडोरिंग तथा शोर हैण्डलिंग एजेण्ट की ओर से यदि कोई चूक पायी जाती है तो वे पहली चूक पर चेतावनी जारी करेंगे और चूक पर स्टीविडोरिंग तथा शोर हैण्डलिंग एजेण्ट पर शास्ति लगाने के अतिरिक्त उनका लाइसेंस रद्द किया जाएगा।

(v) तीन वर्षों की समाप्ति पर लाइसेंस को अनिवार्यतः उपरोक्त उल्लिखित निष्पादन रिपोर्टों के आधार पर नवीनीकृत किया जाएगा।

(vi) लाइसेंस नवीनीकरण हेतु आवेदन लाइसेंस समाप्ति से कम से कम तीन माह पहले अपेक्षित शुल्क/विलंब शुल्क सहित निर्धारित प्रपत्र में प्रस्तुत किया जाएगा। लाइसेंस नवीनीकरण से पहले नियमों के अनुसार सुरक्षा मानकों के अनुपालन के संबंध में गोदी कामगार/सुरक्षा स्वास्थ्य तथा कल्याण अधिनियम, १९८६ के तहत नियुक्त निरीक्षक से रिपोर्ट प्राप्त की जाए जिसपर लाइसेंस का नवीनीकरण करते समय विचार किया जाएगा।

(vii) यदि नवीनीकरण हेतु आवेदन ३ माह की निर्धारित अवधि के भीतर प्राप्त नहीं होता है तो ऐसे आवेदन पत्तन को कर रहित रु. ५०००/— का भुगतान कर, यातायात प्रबंधक द्वारा स्वीकार किए जा सकते हैं बशर्ते कि विलंब शुल्क सहित नवीनीकरण हेतु आवेदन लाइसेंस समाप्ति की वास्तविक तारीख से पूर्व यातायात प्रबंधक को प्राप्त होते हैं।

(viii) नवीकृत लाइसेंस जारी करने से पूर्व, सुरक्षा निष्पादन तथा गोदी सुरक्षा संविधि के अनुपालन की रिपोर्ट गोदी कामगार (सुरक्षा, स्वास्थ्य व कल्याण) अधिनियम, १९८६ के तहत घोषित “निरीक्षक” से प्राप्त करनी होगी, जिसपर लाइसेंस का नवीनीकरण करते समय विचार किया जाएगा। यदि स्टीविडोर तथा शोर हैण्डलिंग एजेण्ट आवश्यक शर्तों को पूरा करते हैं और नवीनीकरण के लिए पात्र है किन्तु लाइसेंस अवधि की समाप्ति पूर्व सुरक्षा निर्बाधता की प्रत्याशा में है, तो पत्तन एक क्षतिपूर्ति बंधपत्र निष्पादित करते हुए स्टीविडोरिंग प्रचालन की अनुमति दे सकता है।

(ix) स्टीविडोरिंग लाइसेंस की मंजूरी/नवीनीकरण के लिए फार्म “क” में यातायात प्रबंधक को आवेदन प्रस्तुत करना होगा।

(x) इन विनियमों के अंतर्गत मंजूर या नवीनीकृत प्रत्येक लाइसेंस फार्म “ख” में होगा।

(xi) मूल लाइसेंस गुम होने पर या खराब होने पर यातायात प्रबंधक को आवेदन कर, कर रहित रु. २०००/— का भुगतान करने पर लाइसेंस की दूसरी प्रति प्राप्त की जा सकती है।

८. नई स्टीविडोरिंग तथा शोर हैण्डलिंग योजना का अंगीकरण.— जब तक इन विनियमों में अन्यथा निर्दिष्ट न हो नया स्टीविडोरिंग तथा शोर हैण्डलिंग विनियम, इसकी अधिसूचना की तारीख से लागू होगा। सभी मौजूदा लाइसेंसधारी जो एमपीटी में स्टीविडोरिंग तथा शोर हैण्डलिंग कार्य लेते हैं उन्हें इन विनियमों के तहत लाइसेंस के लिए आवेदन करना होगा। यदि लाइसेंसधारी इन विनियमों के तहत नई योजना में जाने के लिए नए लाइसेंस के लिए आवेदन नहीं करता है तो उन्हें योग्य नोटिस देते हुए एमपीटी उनके लाइसेंस (लाइसेंसों) को समाप्त करेगा। नई योजना में अन्तरण तभी अनुमत होगा जब इन विनियमों के सभी प्रावधानों की पूर्ति की जाती है।

९. कर्तव्य तथा उत्तरदायित्व.— स्टीविडोर तथा शोर हैण्डलिंग एजेण्ट निम्नलिखित कर्तव्यों, दायित्वों तथा कार्य-निष्पादन मानदण्डों का अनुपालन करेंगे और निम्नलिखित मूलभूत मापदण्डों को ध्यान में रखते हुए सुरक्षित तथा कार्यक्षम सम्वहलाई सुनिश्चित करेंगे:—

(i) स्टीवीडोर तथा शोर हैण्डलिंग एजेण्ट ऐसे प्रचालनों से संबंधित यथा लागू सुरक्षा मापदण्डों तथा श्रम संबंधी अध्यादेशों का अनुपालन करेंगे।

(ii) स्टीविडोर ऐसे प्रचालनों से उत्पन्न तीसरे पक्ष के सभी दावों के लिए मंडल को क्षतिपूर्ति करेगा।

(iii) लापरवाही, खराब गियर के इस्तेमाल अथवा किसी अन्य कारणवश/कार्रवाई के कारण हुई किसी दुर्घटना या क्षति के लिए स्टीविडोर तथा शोर हैण्डलिंग एजेण्ट अकेला उत्तरदायी होगा।

(iv) जब भी नैमित्तिक कामगारों को नियोजित किया जाता है तो स्टीविडोर तथा शोर हैण्डलिंग एजेण्ट सुनिश्चित करेगा कि ऐसे कामगारों को बीमा पॉलिसी तथा नियमों के तहत यथा लागू ऐसे अन्य सुविधाओं के तहत शामिल किया गया है।

(v) किसी भी दुर्घटना के मामले में स्टीवीडोर तथा शोर हैण्डलिंग एजेण्ट कामगार क्षतिपूर्ति अधिनियम के अनुसार दावे का निपटान करने के लिए जिम्मेदार होगा।

(vi) स्टीवीडोर तथा शोर हैण्डलिंग एजेण्ट पत्तन को अग्रिम में निर्धारित प्रभागों का भुगतान करेगा।

(vii) स्टीवीडोर तथा शोर हैण्डलिंग एजेण्ट प्रति जहाज पर्याप्त पर्यवेक्षकीय कार्मिकों को तैनात करेगा।

(viii) स्टीवीडोर तथा शोर हैण्डलिंग एजेण्ट सुनिश्चित करेगा कि मंडल को देय पूरी राशि नियत तारीख को अदा की जाती है अन्यथा लाइसेंस रद्द किया जाएगा।

(ix) स्टीविडोर तथा शोर हैण्डलिंग एजेण्ट सुरक्षा, प्रचालन आवश्यकता, उन्नत उत्पादकता तथा श्रम अनुशासन की दृष्टि से यातायात प्रबंधक अथवा उनकी और से कोई भी कर्मचारी अधिकारी द्वारा समय-समय पर जारी ऐसे अनुदेशों का अनुपालन करेगा।

(x) स्टीविडोरिंग तथा शोर हैण्डलिंग प्रचालन के दौरान यदि मंडल के किसी भी गियर, संयंत्र या किसी अन्य सम्पत्ति को हानि पहुंचती है तो स्टीविडोर तथा शोर हैण्डलिंग एजेण्ट ऐसी हानि या क्षति के लिए मंडल को क्षतिपूर्ति करेगा।

(xi) स्टीविडोर तथा शोर हैण्डलिंग एजेण्ट लाइसेंस में पत्तन द्वारा सूचित किए अनुसार आवश्यक उपकरण परिनिर्णयित करेगा।

(xii) स्टीवीडोर तथा शोर हैण्डलिंग एजेण्ट पत्तन द्वारा नियत कार्यनिष्पादन मानकों को हासिल करेगा।

(xiii) स्टीविडोर तथा शोर हैण्डलिंग एजेन्सी अपना प्रशुल्क ब्रेक-अप सहित अपनी वेबसाईट में अपलोड करेंगे।

१०. लाइसेंस को रद्द/स्थगित करना: (क) पत्तन, लाइसेंस की किसी भी शर्त का उल्लंघन करने पर या नीचे सूचित किसी भी कारणों की वजह से किसी भी समय स्टीविडोर तथा शोर हैण्डलिंग एजेण्ट को जारी लाइसेंस स्थगित या रद्द कर सकता है :—

(i) यदि फर्म, औसतन तीन (३) महीनों से अधिक अवधि के लिए पत्तन द्वारा जारी निष्पादन मानकों को प्राप्त नहीं करते हैं।

(ii) यदि फर्म पत्तन में स्टीविडोरिंग तथा शोर हैण्डलिंग क्रियाकलापों के लिए निष्पादित अधिकतम प्रशुल्क से अधिक प्रभारित करते हैं।

(iii) स्टीविडोरिंग तथा शोर हैण्डलिंग फर्म के सीईओ को नैतिक अधमता के लिए अपराध न्यायालय द्वारा दोष सिद्ध हुआ हो और उस मामले में छह माह से कम की सजा न हो और सजा खत्म होने की तारीख से पांच वर्ष की अवधि समाप्त न हुई हो।

(iv) सुरक्षा विनियमों तथा अधिदेशात्मक गोदी सुरक्षा उपायों का उल्लंघन करता है।

(v) अनुचित तथा असुरक्षित सम्वहलाई पद्धतियों को अपनाता है।

(vi) वास्तविक तथ्यों को अयथार्थ रूप से प्रस्तुत करना या अनुचित रूप से बताना।

(vii) फर्म दिवालिया सिद्ध हुआ है अथवा परिसमापन होनेवाला है।

(viii) स्टीवीडोरिंग प्रचालन किसी अन्य व्यक्ति का पार्टियों को हस्तांतरित करना या लाइसेंस सबलेट करना।

(ix) सुरक्षा संबंधी नियम व आईएसपीएस संहिता अनुपालन जैसे अनुदेशों का उल्लंघन करना।

(x) ऐसा कोई भी कदाचार जिसके लिए मंडल के विचार से लाइसेंस रद्द या स्थगित किया जा सकता है।

(xi) अवैध तथा भ्रष्ट व्यवहार करता हो।

(xii) पत्तन में किसी भी कार्य में रूकावट पैदा करना, सुरक्षा के संबंध में अवैध या विद्वेषपूर्ण व्यवहार के साथ समझौता करना यातायात प्रबंधक या उनकी ओर से कार्यकारी अधिकारी द्वारा दिए किसी भी निदेशों का अनुपालन न करना।

(ख) उपबन्धित है कि ऐसा कोई भी लाइसेंस रद्द या स्थगित नहीं किया जाएगा जब तक कि लाइसेंसधारी को यह कारण बताने का पर्याप्त

अवसर न दिया जाएगा कि क्यों न उनके लाइसेंस को रद्द या स्थगित, जैसी भी स्थिति हो, किया जाए।

(ग) आगे यह भी उपबंधित है कि उपर्युक्त खण्ड (क) के सूचीबद्ध किसी भी उल्लंघन के लिए अथवा अन्य प्रकार से लाइसेंस जारी करने हेतु स्थगन/निरसन/इन्कार सूचित करते हुए लिखित आदेश, स्टीविडोर के लिए जारी आरंभिक सूचना की तारीख से ३० दिनों को अवधि के भीतर, यथाचित रूप से लागू किया जाएगा।

११. अपील.— (i) लाइसेंस को रद्द/स्थगित/जारी करने से इन्कार करने संबंधी किसी आदेश से यदि कोई व्यक्ति ग्रसित होता है तो उस आदेश, जिसके विरुद्ध अपील की जा रही है, की प्राप्ति के ३० दिनों के भीतर अध्यक्ष, एमपीटी या किसी अन्य उच्च प्राधिकारी, जैसी भी स्थिति हो, को लिखित में अपील कर सकता है।

१२. पत्तन/डीएलबी/लाइसेंसधारी या बाहर से कामगारों की तैनाती.— (i) स्टीविडोर तथा शोर हैण्डलिंग एजेण्टों द्वारा पत्तन श्रमिकों को तैनात करने की मौजूदा पध्दति जारी रखी जाए यदि पत्तन स्टीविडोर्स तथा शोर हैण्डलिंग एजेण्टों की आवश्यकतानुसार पत्तन अपेक्षित कामगारों की आपूर्ति नहीं कर सकता है तो पत्तन इस प्रयोजन के लिए स्टीविडोर्स शोर हैण्डलिंग को अपनी व्यवस्था करने की अनुमति दे सकता है। यदि पत्तन न्यास श्रमिकों की आपूर्ति नहीं करता है तो कोई नोशनल बुकिंग अथवा प्रभार उगाही नहीं होगी और श्रमिकों के लिए एजेण्टों से कोई प्रभार नहीं लिए जाएंगे।

१३. निष्पादन मानक.— (i) स्टीविडोर तथा शोर हैण्डलिंग एजेण्टों के उत्पादकता मानक “निष्पादन मानक नीति” के आधार पर परिकल्पित किए जाएंगे। निष्पादन आधारित शास्ति तथा प्रोत्साहन “निष्पादन मानक नीति के अनुसरण में लागू किया जाएगा। पत्तन न्यास, शास्ति बैण्डस् तथा/अथवा प्रोत्साहन बैण्डस् निष्पादन मानक द्वारा यथा निर्धारित फ्रिक्वेन्सी में पुनः मूल्यांकित करेगा।

(ii) स्टीविडोरिंग तथा शोर हैण्डलिंग एजेण्टों दैनिक निष्पादन रिपोर्ट निर्धारित प्रपत्र में यातायात विभाग को ऑनलाईन प्रस्तुत करेगा। प्राप्त उत्पादन के अनुसरण में एजेण्ट के निष्पादन का पुनरीक्षण प्रति माह अध्यक्ष द्वारा किया जाएगा। संबंधित एजेण्टों द्वारा प्राप्त उत्पादकता दर्शानेवाली मासिक निष्पादन विवरण पत्तन की वेबसाइट पर दिया जाएगा ताकि उपभोक्ताओं के लिए पारदर्शिता सुनिश्चित की जा सके।

(iii) एजेण्ट जो औसतन तीन माह से अधिक अवधि के लिए उत्पादकता मानक पूरा नहीं कर पाता है तो उनका लाइसेंस पत्तन प्राधिकारी द्वारा रद्द किए जा सकता है।

(iv) शुल्क बल्क नौभार के मामले में शुष्क बल्क नौभार बर्थिंग महापत्तन २०१६ की नीति के अन्तर्गत एमपीटी द्वारा नियत मानक इन विनियमों के प्रयोजनार्थ भी निष्पादन मानक होंगे।

(v) अन्य नौभार के मामले में जो ब्रेक बल्क सहित शुष्क बल्क नौभार महापत्तन २०१६ की बर्थिंग नीति के अन्तर्गत शामिल नहीं है, निष्पादन मानक वह होंगे जो इन विनियमों के प्रयोजनार्थ एमपीटी द्वारा नियत किए गए हों।

(vi) स्टीविडोरिंग तथा शोर हैण्डलिंग एजेण्ट शुल्क बल्क नौभार महापत्तन २०१६ की बर्थिंग नीति के अनुसरण में निष्पादन आधारित शास्ति तथा प्रोत्साहन प्राप्त होगा जैसा कि टैम्प अथवा किसी अन्य सक्षम प्राधिकारी के अनुमोदन से एमपीटी द्वारा समय-समय अपनाया जाएगा।

१४. प्रशिक्षण, आधुनिक प्रौद्योगिकी का इस्तेमाल.— स्टीविडोरिंग तथा शोर हैण्डलिंग कार्यकलापों में तैनात कार्मिकों को उत्पादकता, कार्यक्षमता तथा सुरक्षा को सुधारने की दृष्टि से नौभार सम्मलई की आधुनिक पध्दतियों में प्रशिक्षित किया जाएगा।

१५. विविध.— (i) यातायात प्रबंधक, अध्यक्ष का अनुमोदन प्राप्त करने के पश्चात समय-समय ऐसे उचित प्रचालन दिशानिर्देश/अनुदेश या ऐसे अन्य निदेश जारी कर सकता है जो इन विनियमों के सुचारू कार्यान्वयन तथा निष्पादन के लिए आवश्यक है।

(ii) इन विनियमों के तहत स्टीविडोरिंग लाइसेंस की मंजूरी/नवीकरण के लिए आवश्यक फार्म समय-समय पर अध्यक्ष द्वारा निर्धारित किए अनुसार होंगे।

१६. निर्वचन.— यदि इन विनियमों के निर्वचन के संबंध में या किसी भी मामले में जो यहां ऊपर उल्लिखित न हो या बाद में उपबन्धित किया हो, के बारे में कोई प्रश्न उठता है तो अध्यक्ष एमपीटी द्वारा उस पर निर्णय दिया जाएगा।

१७. निरसन और व्यावृत्ति.— (i) मुरगांव पत्तन न्यास (स्टीविडोर्स की लाइसेंसिंग) २०१० तथा इन विनियमों के समरूप तथा इन विनियमों के लागू होने से तत्काल पहले प्रवृत्त पक्रियाओं, पध्दतियों तथा रीतियों का एतद्द्वारा निरसन किया जाता है।

(ii) यह भी उपबन्धित है कि इन विनियमों, प्रक्रियाओं, पध्दतियों तथा रीतियों के तहत बनाए आदेशों अथवा पर की गई कार्रवाई जिनका निरसन हुआ है का तात्पर्य इन विनियमों के तत्संबंधी प्रावधानों के तहत बनाए गए या की गई माना जाए।

फार्म “क”

मुरगांव पत्तन न्यास स्टीविडोरिंग तथा शोर हैण्डलिंग विनियम,
२०१७ के विनियम ७ (ix) के तहत

मुरगांव पत्तन न्यास

यातायात विभाग

सेवा में,
यातायात प्रबंधक,
मुरगांव पत्तन न्यास.

स्टीविडोरिंग तथा शोर हैण्डलिंग लाइसेंस की मंजूरी/नवीकरण हेतु आवेदन

१. आवेदक का नाम :
२. क्या व्यक्ति, फर्म या कंपनी है (पार्टनरशिप/कंपनी का अनुच्छेद प्रस्तुत किया जाए) :
३. पूर्ण पता:
४. वर्ष जिसके लिए लाइसेंस अपेक्षित है :
५. उस स्टिमशिप कंपनी/चार्टर ऑफ शिप/माल के मालिक का/के नाम, जिनके साथ उनके जलयानसें/माल के स्टीविडोर से संबंधित कार्य के लिए संविदा जारी है या करने का प्रस्ताव है (समाविष्ट अवधि के लिए संविदा का प्रमाण संलग्न किया जाए। प्रत्येक पार्टी के लिए लगभग टनेज सूचित किया जाए)
६. इस क्षेत्र में पूर्व अनुभव, यदि कोई (पिछले तीन वर्षों में स्टीविडोर किए गए कार्गो व टनेज के ब्यौरे प्रस्तुत करें)
७. कामगार प्रतिपूर्ति अधिनियम आदि के अंतर्गत वेतनों, प्रतिपूर्ति के कारण दायित्वों को पूरा करने के लिए वित्तीय योग्यता की राशि (बैंकों से वित्तीय योग्यता का प्रमाणपत्र तथा आयकर निपटान प्रमाणपत्र प्रस्तुत करें)
८. क्या संविदा किए गए जलयान/माल के संबंध से स्टीविडोर संबंधी कार्य को करने के लिए आवेदक ने पर्याप्त गियरों का अधिग्रहण कर लिया है/करने के लिए सहमत है ?
(गियरों की सूची आवश्यक प्रमाणपत्र के साथ प्रस्तुत की जाए)
९. क्या आवेदक के पास नियमों व विनियमों का अनुभव रखने वाले तथा से परिचित पर्याप्त कर्मचारी है/नियोजित करना चाहता है । (कर्मचारी व उनके कार्य अनुभव की सूची प्रस्तुत की जाए)।
१०. क्या आवेदक ने मुरगांव पत्तन न्यास/सीएचएलडी के साथकिए सम्बन्धितों संबंधी सभी राशि, यदि कोई का निपटान किया है ?
११. क्या लाइसेंस शुल्क तथा प्रतिभूमि जमा अदा किया गया है ? (भुगतान की रसीद संलग्न की जानी है (यदि लाइसेंस जारी/नवीकृत नहीं किया जाता है तो लाइसेंस शुल्क तथा जमा राशि वापस की जाएगी)
१२. क्या आवेदक ने वेतन आदेश/डिमांड ड्राफ्ट के रूप में पांच लाख रूपए जमा किए है ?
मैं सुनिश्चित करता हूँ कि प्रस्तुत जानकारी मेरी सर्वोत्तम जानकारी के अनुसार सही है ।
लाइसेंस की मंजूरी हेतु अनुरोध पर विचार करने हेतु निरीक्षण के लिए यथा अपेक्षित अन्य कोई जानकारी/रिकार्ड प्रस्तुत करने के लिए सहमति देता हूँ ।
यदि मुझे लाइसेंस जारी/नवीकृत किया जाता है तो मैं मुरगांव पत्तन न्यास (स्टीविडोरिंग तथा शोर हैण्डलिंग) विनियम, २०१७ तथा मुरगांव पत्तन न्यास स्टीविडोरिंग तथा शोर हैण्डलिंग विनियम, २०१७ के तहत अध्यक्ष अथवा प्राधिकृत किसी अन्य अधिकारी द्वारा समय-समय पर जारी अन्य किसी भी भातों का अनुपालन करने की सहमति देता हूँ।

आवेदक के हस्ताक्षर

स्थान

दिनांक

वि.सू. लाइसेंस की मंजूरी/नवीकरण पूर्णतया अध्यक्ष के निर्णयानुसार होगा ।

फार्म “ख”

(मुरगांव पत्तन न्यास स्टीवीडोरिंग तथा शोर हैण्डलिंग विनियम, २०१७ के विनियम ७ (x) के तहत)

मुरगांव पत्तन न्यास

यातायात विभाग

संदर्भ सं.:

दिनांक:

मुरगांव पत्तन न्यास ने स्टीवीडोरिंग प्रचालन कार्य करने हेतु लाइसेंस

१. लाइसेंसधारी का नाम :
२. पता :
३. मंजूर लाइसेंस की अवधि :
४. मुरगांव पत्तन न्यास स्टीवीडोरिंग तथा शोर हैण्डलिंग विनियम, २०१७ के अधीन लाइसेंस जारी किया जाता है ।

लाइसेंसदाता प्राधिकारी के हस्ताक्षर

अध्यक्ष, मुरगांव पत्तन न्यास

*मुख्यतया मुरगांव पत्तन न्यास स्टीवीडोरिंग की लाइसेंसिंग तथा शोर हैण्डलिंग विनियम, २०१७ के आधार पर शर्तें निर्धारित की जाएंगी ।

Notification

GAD/Legal-Amend/Regs./02/2017/2253

Mormugao Port Regulations, 2017

GOA

Dated: October, 2017.

In exercise of the powers conferred by Section 123 of the Major Port Trusts Act, 1963 (38 of 1963) the Board of Trustees of the Port of Mormugao hereby makes the Regulations further to amend the Mormugao Port Regulations, subject to the approval of the Central Government and the same is here set out in the schedule annexed to this notification and published in accordance with sub-section (2) of Section 124 of the Act.

Sd/- (I. JEYAKUMAR), Chairman of the Board of Trustees of the Port of Mormugao.

Mormugao, 11th October, 2017.

SCHEDULE

In exercise of the powers conferred by Section 123 read with Section 124 of the Major Port Trusts Act, 1963 (38 of 1963) the Board of Trustees of the Port of Mormugao

hereby makes the following Regulations further to amend the Mormugao Port Regulations, viz.:

(1) *Short title and commencement.*— (i) These Regulations may be called the Mormugao Port (Amendment) Regulations, 2017.

(ii) They shall come into force from the date of the approval of the Central Government sanction published in the Gazette of India.

(2) *Regulation 60.*— (i) Delete the existing sub-clause (v) of Clause (C) of Regulation 60 replace the same with the following:

Regulation 60(C)(v): The licensee shall pay an amount of Rs. 5000/- as non refundable licence fee in respect of ship repairing licence, Rs. 5000/- as non refundable licence fee in respect of ship chandling licence, Rs. 5000/- as non refundable licence fee in respect of chipping and painting licence, Rs. 5000/- as non refundable licence fee in respect of miscellaneous trade licence (survey work) and Rs. 5000/- as non refundable licence fee in respect of miscellaneous trade licence (sampling and analysis) for a

period of three financial years within seven days from the date of intimation of the intention to issue/renew the licence by the Port authorities. The licensee shall also deposit an amount of Rs. 10000/- in respect of ship repairing licence, Rs. 10000/- in respect of ship chandling licence, Rs. 10000/- in respect of chipping and painting licence, Rs. 10000/- in respect of miscellaneous trade licence (survey work) and Rs.10000/- in respect of miscellaneous trade licence (sampling and analysis) as Security Deposit along with the licence fee. The licence fee mentioned above will be for three financial years. The Security Deposit will be refunded in cases of satisfactory compliance of the terms and conditions of the licence at the termination of the licence in case the same is not renewed.

(ii) Delete the existing sub-clause (xii)(a) of Clause (C) of Regulation 60 and replace the same with the following:

Regulation 60(C)(xii)(a): Such licence issued by the Board is valid for three financial years. If the licensee desires to renew the licence he or she shall apply one month before the expiry of the licence. If the application for renewal is not received within the stipulated period the licence may be renewed on payment of Rs. 500/- as late fee, provided the application for renewal together with the receipt in token of payment of the late fees is received by the Port authorities before the actual expiry of the licence.

(iii) Delete the existing sub-clause (xii)(b) of Clause (C) of Regulation 60 and substitute the same with the following:

Regulation 60(C)(xii)(b): If the licence issued to the licensee is lost a duplicate copy of the licence will be issued to the licensee at his or her written request on payment of Rs. 1000/-.

(iv) Add the following as new Clause (E) after Clause (D) in Regulation 60:

Regulation 60(E) Registration of Vessel Agents:

The Application for Registration of Vessel Agents shall be made in the prescribed proforma addressed to the Traffic Manager/Mormugao Port Trust. The proforma application for registration/renewal of Vessel Agents can be downloaded from Mormugao Port Trust website 'www.mptgoa.com'. The "Registration of Vessel Agents" is subject to the following conditions:

1. In case of a person/persons/firm desirous of handling cargo vessel, the applicant shall give a letter from his principals appointing him as cargo vessel local agent. In the case of a person/persons/firm desirous of handling container vessel, the applicant shall give a notarized copy of agency agreement with container line.

2. The applicant shall furnish Security Deposit of Rs. 25000/- (Rupees Twenty five thousand only).

3. The applicant shall pay a one time registration fee of Rs. 10000/- (Rupees Ten thousand only). If a vessel agent, for some reason, ceases to be registered for sometime and applies for a fresh registration, he has to once again pay the registration fee of Rs. 10000/-.

4. The applicant shall pay renewal fee of Rs. 1000/- (Rupees One thousand only) for renewal of his registration.

5. In case of renewal, the applicant shall submit his application atleast 3 months before the expiry of his registration. If he fails to apply within this period, the applicant will be charged a late fee of Rs. 500/- (Rupees Five hundred only). However, if the applicant fails to apply for renewal before the expiry of his registration, his registration will not be renewed and his application will be treated as a fresh application wherein the

applicant will once again have to pay the registration fee of Rs. 10000/-.

6. In case of loss of license, the applicant will be charged a duplicate license fee of Rs. 1000/- (Rupees One Thousand Only).

7. The applicant shall duly submit Certificate of Incorporation with Memorandum and Articles of Association duly notarized/Partnership Deed. In case, the applicant is a sole proprietor, he should submit a notarized copy of Registration Certificate of Establishment.

8. The applicant shall furnish an undertaking for the acceptance of full liabilities for the outstanding dues on account of their principal. This undertaking should inter alia contain a guarantee to indemnify the Board of Trustees of the Port of Mormugao against all claims, damages or liabilities whatsoever, arising directly or indirectly during the course of or any time, the vessel is within the Port Limits.

9. The applicant, in case of a cargo handling vessel, shall submit a Undertaking Letter stating the estimated number of ships/vessels to be handled by him during the license period. In case of a container vessel agent, the applicant shall submit a Undertaking Letter stating the estimated number of containers to be handled by him during the license period.

10. The applicant shall furnish the names, designations, registered office address and telephone numbers of his Principal Officers including his representatives who will be attending the berthing meetings. He shall also furnish the address of his local office.

11. The applicant shall furnish the details of his previous experience in the field of ship agency. He shall also furnish the experience of his executives.

12. The applicant shall submit Original No Dues Certificate from Central Documentation Centre, Finance Department, Mormugao Port Trust before each renewal.

13. The registration of any ship agent, who is not fulfilling his obligation towards the Board (Payment of dues etc.) as a ship agent, is liable to be cancelled as per the orders of the Chairman during the period of registration. This will not entitle the ship agent for refund of registration fees.

14. The ship agents shall make pre-payment of Port charges in respect of their vessels calling at this Port on the basis of self assessment.

15. The applicant shall produce copy of PAN Card and Income Tax Returns for the previous two years in respect of the company/partnership firm/sole proprietor as the case may be.

16. The ship agents shall furnish the nature and composition of the firm under which the agency is to be operated with all supportive documents.

17. Applicant in case of container vessel shall have to submit in addition a notarized copy of Agency Agreement, if any, between him and any Foreign Shipping Company. In case there is no such agreement with any other Shipping Company, this document shall not be required. He shall also have to submit a Coastal License Certificate issued by Director General of Shipping, in case of coastal vessel.

18. The Registration shall be valid for three financial years and shall be renewed on the same conditions as provided herein above.

19. All existing ship agents are requested to apply in the prescribed proforma available on the Mormugao Port Trust's website.

20. The registration of new ship agents is at the discretion of the Chairman/MPT or an Officer so authorised by the Chairman.

BR No. 113 dated 20-11-1965 approved by Ministry vide letter No. 7-PG(4)/66 dated 15.10.66.

Foot Note:

1. Govt. sanction (i) PGL-56-76 dtd. 14-9-1976
- (ii) GSR No. 849 dtd. 22-9-1982
- (iii) PLS/PGL-24/84 dtd. 20-9-1985
- (iv) GSR No. 99(E) dtd. 19-2-1996
- (v) GSR No. 609 dtd. 01-10-1999.

मुरगांव पत्तन न्यास

मुरगांव पत्तन विनियम, २०१७

गोवा

दिनांक: ऑक्टोबर, २०१७

अधिसूचना

महापत्तन न्यास अधिनियम, १९६३ (१९६३ का ३८) की धारा—१२३ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुरगांव पत्तन का न्यासी मंडल केन्द्र सरकार के अनुमोदन के अधीन मुरगांव पत्तन विनियम में आगे और संशोधन करने के लिए एतद्द्वारा विनियम बनाता है। यह विनियम इस अधिसूचना से संलग्न अनुसूची में निर्धारित है और अधिनियम की धारा—१२४ की उप-धारा (२) के अनुसार प्रकाशित किए गए हैं।

हस्ता/—

(आई. जेयकुमार)

मुरगांव पत्तन न्यासी मंडल के अध्यक्ष

अनुसूची

महापत्तन पत्तन न्यास अधिनियम, १९६३ (१९६३ का ३८) की धारा १२४ के साथ पठित धारा—१२३ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुरगांव पत्तन का न्यासी मंडल, मुरगांव पत्तन न्यास विनियमों में आगे और संशोधन करने हेतु निम्नलिखित विनियम बनाता है, यथा;

१. संक्षिप्त नाम और प्रारंभ.— १. (i) इन विनियमों को मुरगांव पत्तन (संशोधन) विनियम, २०१७ कहा जाएगा।

(ii) ये विनियम भारत के राजपत्र में केन्द्र सरकार का अनुमोदन प्रकाशित होने की तारीख से लागू होंगे।

२. विनियम—६० में— (i) विनियम—६० के खण्ड (ग) के मौजूदा उप खण्ड (v) को हटाकर उसे निम्नलिखित से प्रतिस्थापित किया जाए :—

विनियम—६० (ग).— (v): पत्तन प्राधिकारी द्वारा लाइसेंस जारी /नवीकृत करने की सूचना देने की तारीख से सात (७) दिन के भीतर लाइसेंसधारी तीन वित्तीय वर्षों के लिए जलयान मरम्मत के संबंध में अप्रतिदेय रू. ५०००/— लाइसेंस फीस, शिपचांडलिंग लाइसेंस के लिए अप्रतिदेय लाइसेंस फीस रू. ५०००/—, चिपिंग और पेंटिंग के लाइसेंस के लिए अप्रतिदेय फीस रू. ५०००/—, विविध व्यापार लाइसेंस (सर्वे कार्य) के लिए अप्रतिदेय फीस रू. ५०००/— तथा विविध व्यापार लाइसेंस (सैम्पलिंग ने तथा एनेलिसीस) के लिए रू. ५०००/— अदा करेगा। लाइसेंस फीस के साथ जमानती जमा के रूप में लाइसेंसधारी जलयान मरम्मत के लाइसेंस के लिए रू. १००००/—, शिपचांडलिंग लाइसेंस के लिए रू. १००००/—, चिपिंग और पेंटिंग के लाइसेंस के लिए रू. १००००/— और विविध व्यापार (सर्वे कार्य) के लाइसेंस के लिए रू. १००००/—, तथा विविध व्यापार लाइसेंस (सैम्पलिंग तथा एनेलिसीस) के लिए रू. १००००/— अदा करेगा। उपर बताई गई लाइसेंस फीस तीन वित्तीय वर्षों के लिए है। यदि लाइसेंस को नवीकृत नहीं किया जाता है तो लाइसेंस की शर्तों का संतोषजनक अनुपालन करने पर लाइसेंस समाप्ति पर जमानती जमा वापस की जाएगी।

(ii) विनियम—६० के खण्ड (ग) के मौजूदा उप खण्ड (xii) (क) को हटाकर उसे निम्नलिखित से प्रतिस्थापित किया जाए:—

विनियम—६० (ग) (xii) (क): मंडल द्वारा जारी इस प्रकार का लाइसेंस तीन वित्तीय वर्षों के लिए वैध होगा। यदि लाइसेंसधारी लाइसेंस नवीकृत करना चाहता है, तो लाइसेंस समाप्त होने के एक महीने पहले इसके नवीकरण के लिए आवेदन कर सकता है। यदि लाइसेंस के नवीकरण के लिए आवेदन नियत तारीख तक प्राप्त नहीं होता है तो रू. ५००/— विलम्ब शुल्क का भुगतान करने पर लाइसेंस का नवीकरण किया जाएगा बशर्ते कि नवीकरण का आवेदन साथ ही विलंब शुल्क के भुगतान की रसीद पत्तन के प्राधिकारी के पास, लाइसेंस समाप्ति की वास्तविक तारीख से पहले पहुंच जाता है।

(iii) विनियम ६० के खण्ड—(ग) के उप खण्ड xii (ख) को निम्नलिखित से प्रतिस्थापित किया जाए:—

विनियम (६०) (ग) (ii) (ख): यदि लाइसेंसधारी को जारी लाइसेंस खो जाता है, तो उसके लिखित अनुरोध पर रू. १०००/—का भुगतान करने पर लाइसेंस जारी किया जाएगा।

(iv) विनियम ६० में खण्ड (घ) के पश्चात नये खण्ड (ङ) के रूप में निम्नलिखित को जोड़ा जाए :—

विनियम ६० (ङ)— जहाज एजेण्टों का पंजीकरण

जहाज एजेण्टों के पंजीकरण हेतु आवेदन, निर्धारित प्रोफार्मा में यातायात प्रबंधक/मुरगांव पत्तन न्यास को प्रेषित किया जाए। जहाज एजेण्ट के पंजीकरण/नवीकरण हेतु प्रोफार्मा आवेदन मुरगांव पत्तन न्यास की वेबसाइट www.mptgoa.com से डाऊनलोड कर सकते हैं। जहाज एजेण्ट का पंजीकरण निम्नलिखित शर्तों के अधीन होगा :—

1. यदि कोई व्यक्ति/फर्म नौभार जहाज की सम्हलाई करना चाहते हैं तो आवेदक को अपने प्रमुखों से ऐसा पत्र देना होगा जिसमें उन्हें नौभार जहाज स्थानीय एजेण्ट के रूप में नियुक्त किया गया है। यदि कोई व्यक्ति/फर्म कटेनर जहाज की सम्हलाई करना चाहते हैं तो आवेदक को कटेनर लाईन के साथ एजेन्सी करार की नोटराईज्ड प्रति देनी होगी।
2. आवेदक को रु. २५,०००/— (रुपए पच्चीस हजार मात्र) का जमानती जमा प्रस्तुत करना होगा।
3. आवेदक को एक—समयी पंजीकरण शुल्क के रूप में रु. १०,०००/— (रुपए दस हजार मात्र) अदा करने होंगे। यदि जहाज एजेण्ट कुछ कारणवश थोड़े समय के लिए पंजीकरण रद्द करता है तो नए पंजीकरण के लिए आवेदन करने हेतु उन्हें पंजीकरण शुल्क के रूप में पुनः रु. १०,०००/— अदा करने होंगे।
४. आवेदक अपने पंजीकरण के नवीकरण हेतु रु. १०००/— (रुपए एक हजार मात्र) की नवीकरण शुल्क अदा करेगा।
5. नवीकरण के मामले में आवेदक अपना पंजीकरण समाप्त होने से कम से कम ३ माह पूर्व आवेदन प्रस्तुत करेगा। यदि वे निर्धारित अवधि के भीतर आवेदन नहीं करते हैं तो आवेदक को विलंब शुल्क के रूप में रु. ५००/— (रुपए पांच सौ मात्र) अदा करने होंगे। साथ ही यदि आवेदक अपने पंजीकरण की समाप्ति अवधि से पहले नवीकरण के लिए आवेदन नहीं करता है तो उनका पंजीकरण नवीकृत नहीं किया जाएगा और उनके आवेदन को नया आवेदन मानते हुए उसे पुनः पंजीकरण शुल्क रु. १०,०००/— अदा करने होंगे।
6. यदि लाइसेंस गुम हो जाता है तो आवेदक को ड्युप्लीकेट लाइसेंस शुल्क के रूप में रु. १०००/— (रुपए एक हजार मात्र) का भुगतान करना होगा।
7. आवेदक को ज्ञापन तथा यथावत नोटराईज्ड आर्टिकल्स ऑफ एसोसिएशन/पार्टनरशिप विलेख के साथ इनकार्पोरेशन सर्टिफिकेट यथावत प्रस्तुत करना होगा। यदि आवेदक एकमेव प्रोप्राईटर है तो उसे संस्थापन पंजीकरण प्रमाणपत्र की नोटराईज्ड प्रति प्रस्तुत करनी होगी।

8. आवेदक अपने प्रमुखों की ओर से बकाया देयताओं का पूरा दायित्व स्वीकार करने का वचनपत्र प्रस्तुत करेगा। इस वचनपत्र में यह भी गारण्टी रहेगी कि जहाज पत्तन सीमाओं में रहने के दौरान या किसी भी समय प्रत्यक्ष या अप्रत्यक्ष रूप से होनेवाली हानि या देयताओं के लिए मुरगांव पत्तन के न्यासी मंडल को क्षतिपूरित करेगा।
9. नौभार सम्हलाई जहाज के मामले में आवेदक को वचन पत्र प्रस्तुत करना होगा जिसमें उन्हें लाइसेंस अवधि के दौरान उनके द्वारा सम्हलाए जानेवाले जहाजों की अनुमानित संख्या स्पष्ट करनी होगी। कटेनर जहाज एजेण्ट के मामले में आवेदक को वचन—पत्र प्रस्तुत करना होगा जिसमें उन्हें लाइसेंस अवधि के दौरान उनके द्वारा सम्हलाए जानेवाले कटेनरों की अनुमानित संख्या स्पष्ट करनी होगी।
10. आवेदक अपने प्रतिनिधियों सहित उन प्रमुख अधिकारियों के नाम, पंजीकृत कार्यालय का पता तथा दूरभाषा संख्या प्रस्तुत करेंगे। जो बर्थिंग बैठकों में उपस्थित रहेंगे। साथ ही उन्हें अपने स्थानीय कार्यालय का पता भी प्रस्तुत करना होगा।
11. आवेदक को जहाज एजेन्सी के क्षेत्र में अपने पूर्व अनुभव की जानकारी प्रस्तुत करनी होगी। साथ ही उन्हें अपने कार्यकारियों के अनुभव संबंधी जानकारी भी देनी होगी।
12. आवेदक को प्रत्येक नवीकरण से पहले केन्द्रीय प्रलेखन केन्द्र, वित्त विभाग, मुरगांव पत्तन न्यास से मूल अदेय प्रमाणपत्र प्रस्तुत करना होगा।
13. कोई भी जहाज एजेण्ट जो जहाज एजेण्ट के रूप में मंडल की ओर अपनी बाध्यताएं पूरा नहीं करता है तो अध्यक्ष के आदेशानुसार उसका पंजीकरण रद्द किया जा सकता है किन्तु जहाज एजेण्ट को पंजीकरण शुल्क वापस नहीं किया जाएगा।
14. जहाज एजेण्ट इस पत्तन में आनेवाले अपने जहाजों के संबंध में स्वमूल्यांकन आधार पर पत्तन प्रभारों की पूर्व—अदायगी करेगा।
15. आवेदक, कंपनी/पार्टनरशिप फर्म/एकमेव प्रोप्राईटर, जो भी मामला हो, के संबंध में पिछले दो वर्षों की इनकम टैक्स रिटर्न तथा पैन कार्ड की प्रतिलिपि प्रस्तुत करेगा।
16. जहाज एजेण्ट उस फर्म की प्रकृति तथा रचना के बारे में सभी सहायक दस्तावेज सहित जानकारी देंगे जिसके तहत एजेन्सी प्रचालित की जानी है।
17. कटेनर जहाज के मामले आवेदक को अपने और किसी विदेश शिपिंग कंपनी के बीच एजेन्सी करार, यदि कोई, की नोटराईज्ड

- प्रतिलिपि प्रस्तुत करनी होगी। किसी अन्य शिपिंग कंपनी के साथ यदि ऐसा कोई करार नहीं है तो यह दस्तावेज आवश्यक नहीं है। तटीय जहाज के मामले में उन्हें शिपिंग महानिदेशालय द्वारा जारी कोस्टल लाइसेंस सर्टिफिकेट भी प्रस्तुत करना होगा।
18. पंजीकरण तीन वित्तीय वर्षों के लिए वैध होगा और उपर उल्लिखित किए अनुसार उन्हीं शर्तों पर नवीकृत किया जाएगा।
19. मौजूदा सभी जहाज एजेण्टों से अनुरोध है कि वे मुरगांव पत्तन न्यास की वेबसाइट पर उपलब्ध निर्धारित प्रोफार्मा में आवेदन करें।
20. नए जहाज एजेण्टों का पंजीकरण अध्यक्ष/एमपीटी या अध्यक्ष द्वारा प्राधिकृत ऐसे कोई अधिकारी के विवेक पर होगा।
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- पाद टिप्पणी
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(ii) साकानि स. ८४९ दि. २२-९-१९८२
(iii) पीलस/पीजील—२४/८४ दि. २०-९-८५
(iv) साकानि सं. ९९ दि. १९-२-९६
(v) साकानि स. ६०९ दि. ०१-१०-९९.
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