

OFFICIAL GAZETTE



GOVERNMENT OF GOA

GOVERNMENT OF GOA

Raj Bhavan

ORDER

1-30-91-Fin (Bud)

Whereas an excess of expenditure over grants has been reported by the Comptroller and Auditor General of India in his Report for the year 1983-84 in respect of the then Union territory of Goa, Daman and Diu;

And Whereas the Public Accounts Committee have examined and recommended the authorisation of the said excess of expenditure over grants in their 45th Report.

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (2) of section 32 of the Goa, Daman and Diu Reorganisation Act, 1987 (Central Act 18 of 1987), I, Bhanu Prakash Singh, Governor of Goa, hereby declare that the expenditure incurred out of the Consolidated Fund in excess of the amount granted for the year 1983-84 in respect of the then Union territory of Goa, Daman and Diu, as shown in the Schedule hereto stands duly authorised.

SCHEDULE

No. of Demand	Services and purposes	Excess over Grants		
		Revenue	Capital	Total
		Rupees	Rupees	Rupees
3	Administration of Justice	397	—	397
11	Pension	4,32,827	—	4,32,827
17	Labour and Employment	4,20,311	—	4,20,311
21	Irrigation and Power Projects (Charged)	—	60,00,000	60,00,000
Total:		8,53,535	60,00,000	68,53,535

BHANU PRAKASH SINGH
Governor

Panaji, 8th May, 1991.

ORDER

1-31-91-Fin (Bud)

Whereas an excess of expenditure over grants has been reported by the Comptroller and Auditor General of India in his Report for the year 1984-85 in respect of the then Union territory of Goa, Daman and Diu;

And Whereas the Public Accounts Committee have examined and recommended the authorisation of the said excess of expenditure over grants in their 46th Report.

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (2) of section 32 of the Goa, Daman and Diu Reorganisation Act, 1987 (Central Act 18 of 1987), I, Bhanu Prakash Singh, Governor of Goa, hereby declare that the expenditure incurred out of the Consolidated Fund in excess of the amount granted for the year 1984-85 in respect of the then Union territory of Goa, Daman and Diu, as shown in the Schedule hereto, stands duly authorised.

SCHEDULE

No. of Demand	Services and purposes	Excess over Grants		
		Revenue	Capital	Total
		Rupees	Rupees	Rupees
7	Police and Fire Protection	3,00,252	—	3,00,252
13	Roads and Bridges	—	58	58
14	Education, Art and Culture	9,64,663	—	9,64,663
16	Information and Publicity	140	—	140
17	Labour and Employment	2,85,766	—	2,85,766
19	Co-operation and Community Development	23,18,559	—	23,18,559
20	Agriculture and Allied Services	8,64,123	—	8,64,123
21	Irrigation and Power Projects	4,91,719	—	4,91,719
22	Industries	1,27,640	—	1,27,640
24	Tourism	128	10,07,531	10,07,659
Total:		53,52,990	10,07,589	63,60,579

BHANU PRAKASH SINGH
Governor

Panaji, 8th May, 1991.

Public Health Department

Notification

13/2/88-I/PHD

In exercise of the powers conferred by section 46 of the Pharmacy Act, 1948 (Central Act 8 of 1948) (hereinafter referred to as the "said Act"), the Go-

vernment of Goa hereby makes the following rules to carry out the purposes of Chapter III of the said Act, namely:

Preliminary

1. *Short title, extent and commencement.* — (1) These rules may be called the Goa State Pharmacy Council Rules, 1990.

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

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

a) "Act" means the Pharmacy Act, 1948 (Central Act 8 of 1948);

b) "Council" means the State Pharmacy Council of Goa constituted under section 19;

c) "Executive Committee" means the Executive Committee constituted under sub-section (1) of section 27;

d) "Government" means the "Government of Goa";

e) "Official Gazette" means the Official Gazette of the Government;

f) "President" means the President of the Council elected or nominated under sub-section (1) of section 23;

g) "Registrar" means the Registrar appointed by the Council under section 26;

h) "Register" means the register of pharmacists;

i) "Section" means section of the Act;

j) "Treasurer" means the Treasurer appointed by the Council under clause (a) of section 26;

k) "Vice-President" means the Vice-President of the Council elected under sub-section (1) of section 23;

l) "Ministerial Staff" means the Clerks and Servants appointed by the Council under clause (b) of section 26.

3. *Situation of Office of Council.* — The Office of the Council shall be situated in Panaji-Goa.

PART - I

Mode of Election

4. *Filling of vacancy of Council.* — In the case of nominated members, the PRESIDENT shall inform the Government of the vacancy and request him to fill the same.

5. *Returning Officer.* — (1) In the case of first election under clause (a) of section 19, the Registrar of the Registrations Tribunal Goa or an Officer appointed by the Government in this behalf, shall act as the Returning Officer. In all other subsequent elections, the President or any other person authorised by him in this behalf, shall be the Returning Officer and such Returning Officer shall during the period not less than forty-two days and not more than sixty days before the day on which the terms of office of such members will expire and as soon as conveniently as may be after the occurrence of any vacancy arising from death or in

any manner as set forth in section 25 issue his precept to the electorate concerned and shall publish in the Official Gazette notice inviting in Form 'A' the submission of nominations.

(2) The Council, and in the case of first election under clause (a) of section 19, the Government shall appoint by notification in the Official Gazette and in such other manner as it thinks fit, such suitable date for each of the following, namely: —

(a) Last nomination day

(b) Scrutiny of nomination papers day

(c) The last day for receiving voting papers

(d) The day for counting of votes, and

(e) The sending of voting papers under rule 6(11).

6. *Procedure for filling vacancies.* — The following shall be the procedure adopted for filling up vacancies by the electorates. (1) The electoral roll shall be prepared by the Registrar from the register and shall contain the name, qualification and address of every person qualified to vote, for the election of a member to fill up the vacancy or vacancies. Any person who is qualified for election to the Council under clause (a) of section 19 may be nominated as a candidate for election under the said clause (a) of section 19.

(2) Copies of the electoral roll shall be made available for sale at a price not exceeding Rs. 5/- to be fixed by the President.

(3) Candidate qualified for election must be proposed and seconded by persons qualified as electors. The nomination paper should be in Form B. No elector shall propose or second the nomination of more persons than are required to fill up the vacancy or vacancies, provided also that, if more nominations than are required to fill up the vacancy or vacancies to be subscribed by the same elector, all nominations subscribed by him shall be held to be void.

(4) The candidate shall sign the nomination paper declaring that he is willing to serve on the Council if elected, failing which the nomination paper shall be invalid.

(5) Every candidate shall along with the proposal for nomination deposit with the Returning Officer a sum of Rs. 200/- in cash and he shall not be deemed to be duly nominated unless the said deposit has been made. The deposit shall be forfeited to the Council if the candidate is not elected and the number of votes recorded in his favour is less than one eighth of the total number of votes recorded. The said deposit shall be returned if it is not forfeited under this sub-rule.

(6) Every proposal for nomination shall be in writing and shall be signed by the proposer and the seconder and sent by post or otherwise so as to reach the Returning Officer not less than thirty days before such date as may be appointed by the Council in this behalf.

(7) On nomination day, the Returning Officer shall scrutinise the nomination papers received by him at a place appointed by the President on that date at 12 o'clock in the noon. Any candidate may

be present either in person or by an accredited representative at the time of such scrutiny. On completion of the scrutiny of nominations and after the expiry of the period within which candidature may be withdrawn under sub-rule (8), the Returning Officer shall forthwith declare the names and full particulars of the candidates whose nomination papers are held valid by him.

(8) Any candidate may withdraw his candidature by notice in writing signed by him up to 12 o'clock on the fifth day from the last nomination day, counting that day as the first day. Such notice shall not be valid unless it is delivered to the Returning Officer, or sent to him by post or otherwise and received by the Returning Officer, before the time and the date appointed by the President for such purpose.

(9) If in case of any election, the number of candidates duly nominated does not exceed the number required to fill up the vacancy or vacancies, the Returning Officer shall forthwith declare such candidate to be elected.

(10) If more candidates than are necessary to fill up the vacancy or vacancies be nominated, the Returning Officer shall forthwith publish their names and addresses in the Official Gazette and otherwise as the council shall deem fit, and shall further cause their names to be entered in voting papers in the form as laid down in Form 'C'.

(11) Twenty one days before the date as may be appointed by the Council in this behalf, the Returning Officer shall send by post to each elector one such voting paper bearing the official mark of the Returning Officer and an identification envelope on which a declaration as per FORM "D" is printed and a bigger cover on which are printed on the left top corner the serial alphabetical number and the name and the signature column is provided at the lower left corner and the address of the Returning Officer printed as under:—

To

The Returning Officer
Goa State Pharmacy Council Office,
Panaji-Goa.

(12) An elector who has not received his voting paper and other connected papers sent by post or whose papers, before they are despatched back to the Returning Officer have been inadvertently spoiled in such a manner that they cannot be conveniently used or who has lost his papers, may, on his transmitting to the Returning Officer a declaration to that effect signed by himself, require the Returning Officer to send him duplicate papers, in place of those not received or spoiled and spoiled papers shall be returned to the Returning Officer who shall cancel them on receipt. In every case when duplicate papers are issued, a record thereof shall be kept by the Returning Officer and mark "Duplicate" shall be placed on the bigger cover, which will bear the same serial alphabetical number as was originally given to the said elector. The voting papers issued in such cases shall also be marked "DUPLICATE".

(13) Before the date appointed by the Council in this behalf every elector, desirous of voting shall

send his voting paper to the officer and the Returning Officer shall keep the same collected in sealed boxes:

Provided that the voting papers which are not received by the Returning Officer before 12 noon on the date appointed for the counting of votes shall be rejected as also all those that do not conform to the rules.

(14) Every elector desirous of recording his vote shall after filling up the declaration form and the voting paper according to the instructions given in the Form C send the same in an outer envelope by Registered Post at the elector's own cost to the Returning Officer so as to reach him not later than 5.00 p. m. on the day fixed for the receipt of voting papers. Any envelope received after the prescribed date and hour or by un-registered post shall be rejected.

(15) The President shall nominate as scrutinizers such number of members of the Council not exceeding four as he thinks fit.

(16) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the President in this behalf and candidate may be present in person at such time and place.

(17) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes have been given to be elected and shall forthwith inform the successful candidate by letter of his being elected to the Council. If any candidate thus shown to be elected has withdrawn from the election, or refuses to accept election, then one of the remaining candidates to whom the next largest number of votes has been given shall be held to have been elected in the place of the withdrawing candidate, and so on for as may be the remaining candidates as there may be vacancies caused in this way.

(18) When an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn by the Returning Officer, and in such a manner as the President or the person authorised by him in this behalf may determine.

(19) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election and shall retain the same for a period of six months and thereafter cause them to be destroyed.

(20) The Returning Officer shall inform the President of the result of the election.

(21) If any question arises as to the intention, construction of application of this rule or the validity of any election the Council shall refer such question under section 24 to the Government whose decision shall be final.

(22) A petition questioning the validity of an election may be made to the Council within two

months of the date of declaration of the result of the election and the Council shall refer such petition under section 24 to the Government within three months of the said date for the decision of the Government.

(23) If any difficulty arises in holding an election and in carrying out the provisions of this rule, it shall be lawful for the President to take such action or pass such orders as it may appear to him necessary or expedient.

7. Election of President and Vice President.—
(1) The President and the Vice President of the Council shall be elected at a meeting of the Council. Before electing the President, the members present shall elect a temporary Chairman by a ballot if necessary in the presence of the Registrar. The meeting shall then proceed to effect the election of the President which shall be by ballot. It shall be competent for any member to nominate by ballot a member for the Office of the President and the temporary Chairman shall announce the names of the members so nominated and arrange for a ballot. Every vote which shall be given at such a ballot for a person who has not been nominated shall be wholly void and ineffectual. Should only two persons be nominated the voting by the first ballot shall be final except in case of equality of votes. If more than two persons are nominated the candidate obtaining the lowest number of votes at the first ballot shall be eliminated until only two remain when the ballot shall be final except in the case of equality of votes. Provided that if one of the candidate secure more than 50% of the votes cast, he shall be declared elected. In the case of an equality of votes a further ballot shall be taken and if that be indecisive, the election shall be decided by drawing lots.

(2) The President having been elected shall take the Chair and the members shall proceed to elect a Vice President. The procedure laid down in sub-rule (1) being followed except that in the case of equality of votes, the President shall have a casting vote.

8. Election of member by Medical Council.— (1) Election of a member by the Medical Council of Goa under clause (c) of the section 19 shall be conducted at a meeting of the said Medical Council in accordance with the regulations thereof.

(2) On receipt of official notice of the election of a member, the President shall inform the Government of the same for publication in the Official Gazette. The notification of the election of member shall be read by the PRESIDENT and he shall then be introduced to the meeting by some members of the Council. The above procedure shall be adopted also in the case of nominated members.

PART - II

Meeting of the Council

9. Notice to members.— (1) Unless the President in the exercise of his discretion shall deem shorter notice expedient in which case such notice shall be sent by telegram or other more expeditious means, in every case the notice shall be sent to each member.

(2) The President whenever it appears to him unnecessary to convene a meeting may instead of doing so, circulate a written proposition with the reasons for such proposition for the observations and votes of the members of the Council.

10. Meeting of Council.— The Council shall ordinarily meet twice preferably in February and September, in a calendar year on such date and place as may be fixed by the President provided that the President—

(a) may call a special meeting at any time on 15 days notice to deal with any urgent matter requiring the attention of the Council.

(b) shall call a special meeting on 15 days notice if he receives a requisition in writing signed by not less than 10 members and stating the purpose of the meeting other than that mentioned in rule 6(1) and being the purpose within the scope of the Council's function, for which they desire the meeting to be called.

11. Annual Meeting.— The first meeting of the Council held in any calendar year shall be the annual meeting of the Council for that year.

12. Discussion at special meeting.— At the special meeting called by the President in the exercise of his discretion under rule 10(a) only in respect of the subject or subjects for the considerations of which the meeting has been called shall be discussed, unless the Council by a resolution agree to consider such other business.

13. Notice to be sent 30 days before meeting.— Notice of every meeting other than a special meeting called under the proviso to rule 10(a) or under the first proviso to rule 15(1) (b) shall be despatched by the Registrar to each member of the Council 30 days before the date of meeting.

14. Preliminary Agenda.— (1) The Registrar shall issue with the notice of the meeting a preliminary agenda paper showing the business to be brought before the meeting, the terms of all motions to be moved for which notice in writing has previously reached him and the names of the movers.

(2) A member, who wishes to move any motion not included in the preliminary Agenda paper or an amendment to any item so included shall give notice thereof to the Registrar of not less than 25 clear days before date fixed for the meeting.

(3) The Registrar, shall, not less than 15 clear days before the date fixed for the meeting, issue a complete Agenda paper showing the business to be brought before the meeting.

(4) A member who wishes to move an amendment to any item included in the complete Agenda paper, but not concluded in the preliminary Agenda paper, shall give notice thereof to the Registrar not less than 3 clear days before the date fixed for the meeting.

(5) The Registrar shall, if time permits, cause a list of all amendments of which notice has been given under sub-rule (4) to be made available for the use of every member:

Provided that the President may, if the Council agrees, allow a motion to be discussed at a meeting not withstanding the fact that notice was received too late to admit compliance with this rule:

Provided also that nothing in this rule shall operate to prevent the preference by the Executive Committee, of any matter to the Council at a meeting following immediately the meeting of the Executive Committee to permit the notice required under this rule.

15. *Admissibility of motion.* — (1) A motion shall not be admissible —

(a) if the matter to which it relates is not within the scope of the Council's functions.

(b) if it raises substantially the same question as a motion or amendment which has been moved or withdrawn with the leave of the Council within one year of the date of the meeting at which it is designed to move:

Provided that such a motion may be admitted at a special meeting of the Council convened for the purpose on the requisition of not less than two-thirds of the members of Council:

Provided further that nothing in these rules shall operate to prohibit the further discussions of any matter referred to the Council by the Government in exercise of any of its functions under the Act.

(c) unless it is clearly and precisely expressed and raises substantially one definite issue.

(d) if it contains inferences, ironical expressions or defamatory statement.

(2) The President shall disallow any motion which in his opinion is inadmissible under sub-rule (1):

Provided that if motion can be rendered admissible by amendment the President may in lieu of disallowing the motion, admit it in amended form.

(3) When the President disallows or amends a motion, the Registrar shall inform the member who gave notice of the motion of the order or disallowance or as the case may be, of the form in which the motion has been admitted.

PART - III

Order of Business at the Meeting of the Council

16. *Meeting.* — (1) Every meeting of the Council shall be presided over by the President or if he is absent, by the Vice President and, if both the President and the Vice President are absent by a Chairman to be elected by the members from among themselves.

(2) All references in this part to the President shall be read on referring to the person for the time being presiding over a meeting.

(3) Eight members of the Council including the President present in person shall constitute a quorum, provided that, in the case of a meeting adjourned for want of quorum no quorum shall be required.

17. *Meeting not to commence till quorum is constituted.* — If, at the time appointed for a meeting a quorum is not constituted, meeting shall not commence until a quorum is constituted and if a quorum is not constituted on the expiration of 20 minutes from the time appointed for the meeting or during the course of any meeting, the meeting shall stand adjourned to such further time and date as the President may appoint.

18. *Matter to be determined on motion.* — (1) Every matter to be determined by the Council shall be determined on a motion moved by a member and put to the Council by the President.

(2) Votes shall be taken by show of hands or by division or by ballot, as the President may direct:

Provided that votes shall be taken by ballot if three members so desire and ask for it:

Provided further that if voting has been by show of hands, a division shall be taken if a member asks for it.

(3) The President shall determine the methods of taking votes by division.

(4) The result of the votes shall be announced by the President and shall not be challenged.

(5) In the event of an equality of votes, the President shall have a second or a casting vote.

19. *Moving of motions identical in purport.* — When motions identical in purport stand in the names of two or more members, the President shall decide whose motion shall be moved and the other motion or motions shall thereupon be deemed to be withdrawn.

20. *Motion to be seconded.* — (1) Every motion or amendment shall be seconded and if not seconded shall be deemed to have been withdrawn.

(2) When a motion has been seconded it shall be admitted by the Chair.

(3) When a motion has been thus admitted, it may be discussed as a question to be resolved either in the affirmative or in negative or any member may subject to rules 21 and 22 move an amendment to the motion:

Provided that the President shall not allow an amendment to be moved which if it has been a substantive motion would have been inadmissible under rules.

21. *Amendment to be relevant.* — (1) An amendment must be relevant to and within the scope of the motion to which it is proposed.

(2) An amendment may not be moved which has merely the effect of a negative vote.

(3) The President may refuse to admit an amendment which in his opinion is frivolous.

22. *Amendment of motion.* — A motion may be amended by:

(a) the omission, insertion or addition of words or

(b) the substitution of words for any of the original words.

23. *No proposal with reference to motion or amendment to be made when under debate.* — (1) When a motion or amendment is under debate, no proposal with a reference thereto shall be made other than: —

(a) An amendment of the motion as the case may be, as proposed in rule 20.

(b) A motion for the adjournment of the debate on the motion or amendment either to a specified date and hour or sine die.

(c) A motion for the closure, namely a motion that the question be now put.

(d) A motion that the Council instead of proceeding to deal with the motion do pass to the next item on the programme of business:

Provided that no such motion or amendment shall be moved so as to interrupt a speech:

Provided also that no motion of the nature referred to in clauses (b), (c) and (d) shall be moved or seconded by a member who has already spoken on the question before the meeting:

Provided also that a motion referred to in clause (c) and (d) above shall be moved without speech.

(2) It shall be at the discretion of the President to put or refuse to put to the Council a proposal of the nature referred to in clause (b) of sub-rule (1).

(3) Unless the President is of opinion that a motion for closure in an abuse of the right of reasonable debate, he shall forthwith put a motion that the question be now put and if that motion is carried, the substantive motion or amendment under debate shall be put forthwith:

Provided that the President may allow the mover of the substantive motion to exercise his right of reply before the substantive motion under debate is put.

24. *Proposal to adjourn Council.* — A proposal to adjourn the Council to a specified date and hour may be made, at any time:

Provided that it shall not interrupt a speech, but it shall be at the discretion of the President to put or refuse to put such a proposal to the Council.

25. *Motion or amendment not to be withdrawn.* — A motion or an Amendment which has been moved and seconded shall not be withdrawn save with the leave of the Council which shall not be deemed to be granted if any member dissent from the granting of leave.

26. *Discussion of motion.* — When a motion has been moved and seconded, members other than the mover and the seconder may speak on the motion in such order as the President may direct:

Provided that the seconder of a motion or an amendment may with the permission of the President confine himself to seconding the motion or amendment as the case may be, and speak thereon at any subsequent stage of the debate.

27. *President may elucidate any point in discussion.* — During the meeting, the President may, at any time, make any objection or suggestion or give information to elucidate any point to help the members in the discussion.

28. *Final reply.* — (1) The mover of an original motion and if permitted by the President the mover of any amendment shall be entitled to a right of final reply. No other member shall speak more than once to any debate except with the permission of the President for the purpose of making a personal explanation or of putting a question to the member who is addressing the Council:

Provided that any member at any stage of the debate may rise to a point of order, but no speech shall be allowed on that point:

Provided further that a member who has spoken on a motion may speak again on an amendment subsequently moved to the motion.

(2) No member shall, save with the permission of the President, speak for more than five minutes:

Provided that the mover of motion when moving the same may speak for ten minutes.

(3) A speech shall be strictly confined to the subject matter of the motion or amendment on which it is made.

(4) Any motion or amendment standing in the name of a member who is absent from the meeting or unwilling to move it may be brought forward by another member with the permission of the President.

29. *Member to speak from his place.* — (1) A member desiring to make any observations on the matter before the Council shall speak from his place, shall rise when he speaks, and shall address the President.

(2) If at any time the President rises, any member speaking shall immediately resume his seat.

30. *Member to be heard only upon business before Council.* — No member shall be heard except upon the business before the Council.

31. *Reading of terms of original motion.* — (1) When an amendment to any motion is moved and seconded or when two or more amendments are moved and seconded the President shall, before taking the consent of the Council thereon state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) An amendment to a motion shall be put to vote first.

(3) If there be more than one amendment to a motion the President shall decide in what order they shall be taken.

32. *Motion involving several points.* — When any motion involving several points has been discussed, it shall be in the discretion of the President to divide the motion, and put each or any point separately to vote as he may think fit.

33. *Adjournment of meeting.* — (1) The President, after stating reasons may, at any time, adjourn any meeting to any future day or to any hour of the same day.

(2) Whenever a meeting is adjourned to a future day, the Registrar shall if possible send notice of the adjournment to every member who was not present at the meeting.

(3) At a meeting adjourned to a future day, any motion standing over from the previous day shall unless the President otherwise direct, take precedence over other matter on the Agenda.

(4) Either at the beginning of the meeting or after the conclusion of the debate on a particular item during the meeting, the President or a member may suggest a change in the order of business on the Agenda, if the Council agrees such a change shall take place.

(5) No matter which had been on the Agenda of the original meeting shall be discussed at an adjourned meeting.

(6) The same quorum shall be necessary for an adjourned meeting as for an ordinary meeting, except in such case as provided for in sub-rule (3) of rule 16.

34. *President to decide points of order* — (1) The President shall decide all points of order which may arise and his decision shall be final.

(2) If any question arises with reference to procedure in respect of a matter for which these rules made no provision, the President shall decide the same and his decision shall be final.

PART - IV

Appointment of Members of the Council

35. *Book containing certain particulars to be kept.* — A book shall be kept, containing the name of the members of the Council, the Electorates they represent, the date of appointment of each member, the term for which he was appointed and the date of the death or retirement of each member, and such book shall be regularly kept up so as to show the period at which each of the bodies that has power to appoint should proceed to a new appointment, and the same particulars shall be observed with regard to members appointed by the Government.

36. *New appointment.* — Sixty days before the expiration of the term of any existing appointment, the Registrar shall draw the attention of the President and of the Appointing Authority to the vacancy that will arise in order that such new appointment may be made to take effect from the date on which the corresponding old appointment will expire.

37. *Filling up of vacancy.* — On the resignation, death, insolvency or lapse of appointment of any member of the Council under provisions of section, the Registrar shall draw the attention of the President and of the appointing Authority to the vacancy thus caused in order that the same may be filled up.

PART - V

Meeting of the Council

38. *Printed Minutes.* — The proceedings of the meetings of the Council shall be preserved in the form of printed minutes which shall be authenticated after confirmation, by the signature of the President.

39. *Attestation of minutes by President.* — A copy of the minutes of each meeting shall be submitted to the President within 15 days of the meeting and attested by him and they shall then be sent to each member within 30 days of the meeting.

40. *Content of minutes.* — The minutes of the meeting shall contain such motions and amendments as have been moved and adopted or negatived with the names of the mover and the seconder but without any record of observations made by any member at the meeting.

41. *Confirmation of minutes.* — If any objections regarding the correctness of the minutes is received within 30 days of despatch of the minutes by the Registrar, such objections together with the minutes as recorded and attested shall be put before the next meeting of the Council for confirmation. At this meeting no question shall be raised except as to the correctness of the records of the meeting:

Provided that if no objection regarding a decision taken by the Council at a meeting is received within 30 days of the despatch by the Registrar of the minutes of that particular meeting, such decision may if expedient be put into effect before the confirmation of the minutes at the next meeting:

Provided further that the President may direct that action be taken on a decision of the Council before the expiry of the period of 30 days mentioned above.

42. *Minutes to be paged for insertion in volume.* — The minutes of the Council shall as soon as is practicable after their confirmation be made up in sheets and consequently paged for insertion in volume which shall be permanently preserved. A copy of each volume shall be supplied free of charge to each member of the Council.

43. *Proceedings of meetings to be treated as confidential.* — A report shall be kept of the observations and of the discussions at the meetings of the Council in as accurate a manner as possible for the use of the members of the Council. The detailed proceedings of the meetings which shall be treated as "Confidential" shall be kept in the office and shall be open for members for inspection. A copy of the proceedings in whole or in part shall be supplied to any member who may apply for it. Such copy shall be marked "Confidential" and be supplied on the payment of sum fixed by the President which shall not exceed the cost of copying. No copy of proceedings held in Camera shall be supplied, but such proceedings can be inspected by the members.

PART - VI

Tenure of Office and Powers and Duties of the President and Vice President

44. *Powers and duties of President.*— The President shall exercise such powers and perform such duties as are contained in the provisions of the Act, the Rules and standing orders of the Council. He shall do such acts as he considers necessary in the furtherance of the object for which the Council is established.

45. *Vice-President to act as President or to discharge his functions during vacancy in office or during absence of President.*— If the Office of the President is vacant, or if the President for any reasons is unable to exercise the powers or perform the duties of his office, the Vice-President will act in his place and shall exercise the powers and perform the duties of the President.

PART - VII

Executive Committee

46. *Executive Committee.*— The Executive Committee shall consist of President and Vice President, Ex-officio and three members elected by ballot at the first meeting of the Council. Of the three members so elected there shall be at least two Registered Pharmacists. The Executive Committee elected shall hold office till the election of the New Executive Committee.

47. *Meeting of Executive Committee.*— The Executive Committee shall ordinarily meet on such date as may be fixed by the President.

48. *Quorum for meeting of Executive Committee.*— For a meeting of the Executive Committee three members including President and the Vice President shall be a quorum.

49. *Filling up of vacancy in Executive Committee.*— Should there occur during the recess any vacancy in the Executive Committee they shall be empowered to fill up such vacancy except in cases where summons have been issued for a meeting of the Council where the Council itself shall elect. Should any member of the Executive Committee be absent from two consecutive meetings without leave of the committee, he shall ipso facto cease to be a member of the Committee. If the period of leave exceeds one year a vacancy thereby shall be created.

50. *Leave to Registrar.*— In case of the death of the Registrar or his incapacity from his illness or on leave when the Council is not in session, the Executive Committee shall appoint a person to perform temporarily the duties of the Registrar. The Executive Committee shall grant leave to the Registrar in accordance with the principles laid down in the Civil Service Rules of the State of Goa.

51. *Minutes of Proceedings of Executive Committee.*— The Executive Committee shall keep minutes of their proceedings which shall be dealt with according to the same procedure as that indicated in Part V of the Minutes or the Council.

52. *Executive Committee to superintend publication of Pharmacist Register.*— The Executive Committee shall superintend the publication of the Register which shall be prepared by the Registrar who shall cause it to be printed after entering therein annually, statement of the distribution of the copies of the Register to the Officers of the Government as approved by the Government and the Pharmacy Council of India and to others as may be directed by the Executive Committee.

53. *Printing of Copies of Pharmacy Register.*— The Executive Committee shall order each year such number of copies of the Register to be printed as may seem to the Registrar to be required on a revision of the annual distribution list.

54. *Consideration and preparation of report by Executive Committee.*— The Executive Committee shall consider and prepare report upon any subjects that may seem to require the attention of the Council and such reports shall be printed and circulated among the members of the Council ten days at least before the meeting of the Council.

55. *Business for consideration of Council.*— The Executive Committee shall, before each meeting of the Council prepare the business for the consideration of the Council.

56. *Printing of volumes of Minutes.*— The printing of the volumes of Minutes shall be under the direction of Executive Committee.

57. *Petitions to be referred to Executive Committee.*— All petitions presented to the Council shall be referred to the Executive Committee to be examined and reported upon before being considered by the Council.

58. *Petitions to be laid on table.*— Subject to the provisions of the preceding rules, all petitions addressed to the Council immediately before or during the sessions of the Council, shall be laid down on the table.

59. *Preparation of Reports by Executive Committee.*— The Executive Committee shall prepare Reports on such subjects as may be indicated to them by the Council at its sittings or by the President at other times. The report when finally approved by the Committee shall be presented to the Council.

PART - VIII

Sub-Committee

60. *Constitution of Sub-Committees by Council.*— (1) The Council may constitute sub-committees and may appoint to such sub-committees, persons who are not members of the Council to report upon any matters, which it may deem necessary to refer to them.

(2) The members of a sub-committee appointed under sub-rule (1) shall not be entitled to any fee for attending any meeting of the sub-committee. They shall be entitled to travelling expenses only.

PART IX

Fees for attending councils and other expenses

61. *Fees.* — (1) For attending meeting of Council, the Executive Committee or Sub-Committee, etc. and for travelling expenses thereof the scale of fees shall be as set forth in the following sub-rules.

(2) The rate of payment for attending meeting of the Council shall be the same for all the members of the Council.

(3) The fees for attending meeting of the Council shall be not less than twenty rupees a day for each member attending.

62. *Travelling expenses.* — The travelling expenses of members shall be paid as follows: — (1) Officials shall draw the travelling allowances which they are entitled to claim according to their grades under the Fundamental Rules or Civil Services Rules as the case may be.

(2) A non-official member shall be allowed one and a half first class ticket, halting allowances and road mileage according to the rules applicable to first class Government Officers. The halting allowances will be admissible for any day for which he is required to halt at a place which is not the place where his permanent residence is situated, on the business of the Council or the Committee or Sub-Committee, etc.

(3) Employees of the Council shall be entitled to Travelling Allowance at the same rate as admissible to Government servants of the State of Goa. The Registrar of the Council shall however be considered to be of the rank of Grade I Government Officer.

N. B. In the event of a member actually travelling throughout the 24 hours, between midnight and midnight halting allowances shall not be admissible. On the other hand should be half for less than 24 hours for a meeting, he shall be entitled to it.

63. *Fees for attending meeting of Executive Committee.* — The fees for attendance at the meetings of the Executive Committee shall be not less than twenty rupees a day with the usual travelling expenses as specified in rule 62.

PART X

The Registration

64. *Register of Pharmacists.* — The Register shall be maintained as required by sub-section (3) of section 29 in Form 'E'.

65. *Entering of names in Register.* — The names shall be entered in the Register in the order in which applications for Registration are admitted and sufficient space shall be left for future additions and alterations in the qualifications and address of each entry.

66. *Verification of page of Register.* — Each page of the Register shall be verified by the Registrar's Signature.

67. *Certificate of Registration.* — (1) On the Registration of every Pharmacist under the Act,

the Registrar shall grant such Pharmacists a certificate in Form 'F'.

(2) In the event of a certificate issued under sub-rule (1) being lost or accidentally destroyed, the holder may at any time during which such certificate is in force apply to the Registrar under section 39 for a fresh certificate and the Registrar may if he thinks fit on satisfactory proof as to the identity of the applicant grant such certificate on payment of a fee of Rs. 5/-. Certificate issued under this sub-rule shall be marked "DUPLICATE".

68. *Application for registration.* — Every person entitled under section 32 to be registered under the Act and desiring to have himself registered shall apply to the Registrar in Form G duly filled in and signed. Every such application shall be accompanied by the fee prescribed in rule 78.

69. *Registration of person to hold good till 31st December.* — (1) The name of every person registered under the Act shall subject to the provisions contained in the Act as to the erasure of the entries and removal of names from the Register remain entered therein and the registration of such person shall hold good till the 31st of December of the year in which registration is made.

(2) Any person desiring to continue his registration shall submit to the Registrar an application before 1st of April of the year to which it relates and shall forward with such application the fee prescribed in that behalf in rule 77.

(3) The Registrar may send to any Pharmacist who has not paid his renewal fees on the 1st day of January in the year in respect of which such fee is payable, a demand for payment thereof, which demand shall be by a letter sent by post addressed to the Pharmacist at his address in the Register.

(4) When a renewal fee is not paid before the due date, the Registrar shall remove the name of the defaulter from the Register:

Provided that a name so removed may be restored in the Register as per section 37 on payment of fees and penalty as prescribed in rule 78.

70. *Application for registration of additional qualification.* — (1) An application for registration of an additional qualification under section 35 shall be in Form H and shall be accompanied by the Fee prescribed in this behalf in rule 75.

(2) On registration of Additional qualification under sub-rule (1) the Registrar shall grant such Pharmacist a certificate in Form I.

71. *Appeal.* — Any appeal to the Council against refusal of the Registrar to register in the case of first registration or alter any entry in the Register must state the grounds on which registration is claimed and furnish the names of the qualifications and the dates on which they are received. On receipt of such an appeal the Executive Committee shall conduct an enquiry and submit a report to the Council.

72. *Certified copies of entries in register.* — Certified copies of entries in the Register in Form J may be issued to any one on payment of a fee as per rule 78.

73. *Fee for change of name in Pharmacist Register.*—A fee as per rule 78 shall be levied for registering a change of name in the Register.

74. *Erasing of name from Register.*—(1) The Council may erase from the Register the name of any person who:

(a) has requested that his name be removed from the Register in which case such person may be required to file a declaration that no disciplinary or criminal proceedings are being or likely to be taken against him

OR

(b) has filed within a period to be determined by the Council to furnish to the Registrar with such information as the Council may require.

(2) The Council may erase from Register the name of any person whose name before or after the commencement of the Act has been removed from the roll, register or record of any University, Hospital, Society or other body from which that person received the degree, Diploma or Certificate in respect of the holding whereof he was registered and any registration certificate issued to such person shall be deemed to be cancelled as from the date of such erasure.

(3) The Registrar shall bring such application before the next meeting of the Council or Executive Committee which will consider the application and any objections thereto and the President shall decide as to whether the Registrar shall erase the name (the applicant's name) from the Pharmacy Register.

75. *Printing of copies of Registers.*—The Registrar shall as soon as may be after 1st day of April in each year cause to be printed copies of the Registers as they stood on the said date and such copies shall be made available to persons applying therefore on payment of the prescribed fee and shall be evidence that on the said date the persons whose names are entered therein were registered Pharmacists. The Registrar shall keep an inter-leaved copy of such printed list wherein he shall make during the year any entry, alteration or erasure that may be necessary.

76. *Intimation of change of address.*—(1) It shall be the duty of every registered person who changes his address to intimate the fact to the Registrar within one month of such change.

(2) Every District Registrar of deaths who receives a death notice showing that the deceased belonged to profession or calling the members of which are registerable under the Act, shall forthwith notify the Registrar of such death.

77. *Enumeration.*—There shall be made every year and entered in the printed Register an enumeration of—

- (i) The total number of persons in the published Register.
- (ii) the number of persons added by registration during the year.

- (iii) the number restored to the Register.
- (iv) the number erased from the Register stating the section of the Act under which the name has been erased; and
- (v) the number removed by death.

PART XI

Fees

78. *Fees.*—The following fees are prescribed by the Council:

	Rs.
For the registration in the Register	50
For every qualification or status subsequently registered	5
For restoration to the Register after removal for nonpayment of annual retention fee in addition to retention fee for the year or year during which the name remained removed	30
For annual retentions	10
For restoration to the Register under section 37	30
For registration of change of name	5
For every certified copy of any entry in Register	5
For a "Duplicate" certificate under rule 66	5

Together with stamp duty leviable under the Indian Stamp Act, 1899 or any other law for the time being in force relating to the levy of the stamp duty.

PART XII

Penal removal from the Pharmacy Register

79. *Penalties.*—Every person registered under the Act who has been found after inquiry by the Executive Committee to have been guilty of improper conduct which when regard is had to such person's profession or calling, is improper shall be liable to one of the following penalties:—

- (a) caution or reprimand or a reprimand and caution;
- (b) suspension for a specified period from practising or performing acts pertaining to Pharmacy; or
- (c) erasure of his name from the Register.

80. *Suspension.*—If at any time it is made to appear by affidavit that a person registered under the Act has become mentally or physically disabled to the extent that the continued practising of such person is contrary to the Public Welfare, the Executive Committee may hold inquiry into the facts submitted and may order the suspension of such person for a specified period from carrying on his profession or practice of Pharmacy.

81. *Abstract of information about guilty conduct of Pharmacist to be submitted to President.*—Whenever information reaches the office of the Council that a Pharmacist has been convicted of a cognisable offence or has been under the censure of any judicial or other competent authority in relation to his professional character or has been guilty of conduct which prima-facie constitutes infamous conduct in his professional respect, the Registrar shall make an abstract of information and shall submit the same to the President.

82. *Complaint against Pharmacist to be accompanied by declaration.*—Where the information in question is in the nature of a complaint by a person or body, charging the Pharmacist with infamous conduct in professional aspect such complaint shall be made in writing addressed to the Registrar and shall state the grounds of complaint and shall be accompanied by one or more declarations as to the facts of the case.

83. *Declaration to contain full address of declarant.*—Every declaration must state the description and true place of abode of the declarant and where a fact stated in a declaration is not within the personal knowledge of the declarant the source of the information and grounds for the belief of the declarant in its truth must be accurately and fully stated. Declarations and parts of declarations which are made in contravention of this rule will not be accepted as evidence.

84. *Enquiry into the conduct of Pharmacist.*—The abstract and where a complaint has been lodged, the complaint and all other documents bearing on the case shall be submitted by the Registrar to the President who shall if he thinks fit instruct the Registrar to ask the Pharmacist by means of a registered letter for any explanation he may have to offer. The documents including any explanation forwarded by the Pharmacists to the Registrar shall then be referred to the Executive Committee who shall consider the same and shall have power to cause further investigation to be made and further evidence to be taken and to refer if necessary to a solicitor for his advice and assistance and to instruct him to take the opinion of the Counsel and otherwise to obtain such advice and assistance as they shall think fit. If the Committee is of the opinion that a prima facie case is not made out, the case shall not proceed further and the Registrar shall inform the complainant of the Resolution of the Committee. If the Committee is of the opinion that the circumstances suggest that a letter of warning be sent, the Committee is empowered to send it. If the Committee resolves that the case is one in which an enquiry ought to be held, the President shall direct the Registrar to take steps for the institution of an enquiry and for having the case heard and determined by the Executive Committee.

85. *Notice to Pharmacist.*—An inquiry with a view to the removal of a name from the Register under section 36 shall be instituted by the issue of a notice in writing on behalf of the Executive Committee by the Registrar addressed to the Pharmacist. Such notice shall specify the nature and particulars of the charge and will inform him of the day on which the Executive Committee intend to deal with the case and shall call upon the

Pharmacist to answer the charge in writing and to attend before the Executive Committee on such day. The notice shall be in Form K with such variations as circumstances may require and shall be sent three weeks before the date of enquiry.

86. *Supply of copy of declaration, etc. for defence.*—In every case in which the Executive Committee resolve that an enquiry shall be instituted and a notice for an enquiry is issued accordingly either party shall for the purposes of his defence or reply as the case may be, and upon request in writing for that purpose signed by himself or his solicitors, be entitled to be supplied by the Registrar with a copy of any declaration, explanation or answers or other document given or sent to the Executive Committee by or on behalf of the other party which such other party will be entitled on proper proof, to use at the hearing as evidence in support of or in answer to the charge specified in the notice of enquiry and every notice of inquiry shall draw the particular attention of the Pharmacist to this rule.

87. *Dealing with answer, etc. by President.*—Any answer, evidence or statement forwarded or application made by the Pharmacist between the date of the issue of the notice and the day specified for the hearing of the charge shall be dealt with by the President in such manner under such legal advice as he shall think fit.

88. *Printing of material document.*—All material documents which are to be laid before the Executive Committee as evidence in regard to the case shall be printed and a copy shall be furnished to each of the Council before the hearing of the case.

89. *Member complainant and Pharmacist may be represented by solicitor.*—At the hearing of the case by the Executive Committee their solicitors may be present to advise as to the conduct of the case and Counsel employed by them may act as judicial assessor. The complainant and also the Pharmacist may be represented or assisted by a solicitor with or without a Counsel.

90. *Order of Procedure.*—Where a complainant appears personally or by a Counsel or Solicitor the following will be the order of procedure:

(1) The Registrar will read to the Executive Committee the notice of the enquiry addressed to the Pharmacist.

(2) The complainant will then be invited to state his case by himself or by his legal representative and to produce his proofs in support of it. At the conclusion of the complainant's proofs his case will be closed.

(3) The Pharmacist will then be invited to state his case by himself or by his legal representatives and to produce his proofs in support of it. He may address the Executive Committee either before or at the conclusion of his proofs but only once.

(4) At the conclusion of the Pharmacist's case, the Executive Committee will, if the Pharmacist has produced evidence, hear the complainant in reply on the case generally, but will hear no further evidence except in a special case in which the Executive Committee may think fit to produce such further

evidence. If the Pharmacist produces no evidence, the complainant will not be heard in reply except by special leave of the Executive Committee.

(5) Where a witness is produced by any party before the Executive Committee, he will be first examined by the party producing him and then cross examined by the opposing party and then re-examined by the party producing him. The Executive Committee reserves to itself the right to decline to admit in evidence any declaration where the declarant is not present or decline to submit to cross examination.

(6) The President and the Judicial Assessor when present may put question to any witness and members of the Executive Committee though the President, may also put question to any witness.

91. *Order of Procedure where there is no complaint.* — Where there is no complaint or no complainant appears the following will be the order of procedure:

(1) The Registrar will read to the Executive Committee the notice or inquiry addressed to the Pharmacist and will state the facts of the case and produce before the Executive Committee the evidence by which it is supported.

(2) The Pharmacist will then be invited to state his case by himself or by his legal representatives and to produce his proofs in support of it. He may address the Executive Committee either before or at the conclusion of his proofs but only once.

(3) The Solicitor to the Executive Committee may be heard in reply if the Executive Committee so desired.

92. *Deliberation by Executive Committee.* — Upon the conclusion of the case the Executive Committee will deliberate thereon in private and at the conclusion of the deliberation the President shall for the purpose of summing up the result of the deliberations, call upon the Executive Committee to vote on such of the following Resolutions to be put from the Chair as may be applicable to the Circumstances of the case: —

(1) In the case of a Pharmacist who has been convicted of cognizable offence as defined in the Code of Criminal Inquiry/Code of Criminal Procedure, 1973.

(2) In the case of a Pharmacist charged with infamous conduct in a professional respect:—

(a) "That the Executive Committee do now proceed to decide the facts alleged against ... in the notice of inquiry which have been proved or have not been proved.

If this resolution is not carried, the further hearing of the case will stand adjourned till the next or some other future session of the Executive Committee as the Executive Committee shall direct and the hearing thereof will be taken at such next future session as an adjourned case.

If this Resolution is carried, the Executive Committee shall be called upon by the President to vote on the following Resolution to be put from the Chair.

(b) "That the fact or the following facts (specifying them) alleged against ... in the notice of inquiry have been proved to the satisfaction of the Executive Committee. If the Resolution is carried, the Executive Committee may either proceed to judge whether on the facts proved the accused Pharmacist has been guilty of infamous conduct in professional respect and to direct the Registrar to erase his name from the Register or may postpone its judgement and adjourn the case until the next or some other future session.

(3) In the case of a Pharmacist convicted of a felony (misdemeanour or crime or offence) or charged with infamous conduct in a professional respect for the purpose of deciding whether or not the judgement of the Executive Committee of the conviction (or facts) proved shall be called upon by the President to vote on the following Resolution to be put from the Chair:

(c) "That the Executive Committee do now proceed to pronounce their judgement on the conviction (or facts proved against ...").

If this Resolution is not carried, the judgement of the Executive Committee will stand postponed till the next or some other future session of the Executive Committee as the Executive Committee shall direct and the case will be taken at such next or other future session as a case in which judgement has been postponed.

If this Resolution is carried, the Executive Committee shall proceed at once to pronounce its judgement on the case and shall be called upon by the President to vote upon the following Resolution to be put from the Chair:—

In the case of conviction:—

(d) "That ... have been proved to have been convicted of felony (or misdemeanour or crime or offence) alleged against him in the notice of inquiry the Registrar be directed to erase his name from the Register.

In the case of Pharmacist charged with infamous conduct in a professional respect:—

(e) "That the Executive Committee do now judge ... to have been guilty of infamous conduct in a professional respect and to direct the Registrar to erase from the Register the name of ...

If the Resolution (d) or (e) as the case may be, is not carried, the President may announce the judgement of the Executive Committee in the following form:

"That the Executive Committee do not see fit to direct the Registrar to erase from the Register the name of ...

93. *Complainant or Pharmacist may supply further evidence in case of adjournment.* — In the event of an adjournment of the hearing or a postponement of judgement to another session, the Executive Committee may hear the Pharmacist and the complainant (if any) on the day fixed for the further consideration and shall request the attendance of the Pharmacist on that day before the Executive Committee, and the complainant and the Pharmacist shall each be requested to furnish to the Registrar in writing not less than fifteen days before the day so fixed a

statement of any further facts or evidence which he may desire to be laid before the Executive Committee.

The notice shall be given so as to allow at least twenty eight days before the day on which the notice is given and the day appointed for the further consideration. No further facts or evidence presented by a party to the inquiry shall be received or considered by the Executive Committee unless a statement thereof has been previously furnished to the Registrar in compliance with this rule.

94. Solicitor or Registrar to state facts of case.—

(1) On the case coming before the Executive Committee for further consideration the Solicitor if present or the Registrar when the Solicitor is not present shall, if necessary, state the facts and explain the position of the case to the Executive Committee.

(2) The Pharmacist shall then be invited to address the Executive Committee personally or by his legal representative of which he may duly give notice to the Registrar and the complainant (if any) shall then be invited to address the Executive Committee either personally or by legal Representative and lay before the Executive Committee any further evidence of which he shall have duly given such notice.

(3) At the conclusion of further hearing, the Executive Committee shall deliberate on the case in private and at the conclusion of the deliberation the President shall call upon the Executive Committee to vote in an adjourned case on the same resolution as at the original hearing and in a case in which judgement was postponed on Resolution (3)(c) and (d) and (e) in rule 92 as the case may be.

95. Removal of name from Register.—If under the direction of the Executive Committee all the qualifications of any Pharmacist have been erased from the Register than the Executive Committee shall, if it think fit, by formal Resolution put by the President from the Chair, direct the Registrar to remove the name of such Pharmacist from the Register.

96. Order regarding removal of name to be confirmed.—An order by the Executive Committee to remove the name of Registered Pharmacist under the provision of section 36(1) shall be subject to confirmation by the Goa State Pharmacy Council under section 36(1)(c) and shall not effect until the expiry of three months from the date of such confirmation.

97. Notice of removal to be sent to Pharmacist.—

(1) The Registrar shall upon the removal of any name from the Register pursuant to the provisions of the preceding clauses or of section 36 forthwith send notice of such removal to the Pharmacist and such notice be sent by a Registered letter addressed to the last known address or to the registered address of the Pharmacist. The Registrar shall also send forthwith intimation of any such removal to the Licensing Authority in Goa under the Drugs Act and also to the Dean or Secretary or other proper office of any Body or Bodies from which the Pharmacist has received his qualification or qualifications.

(2) A person whose name has been removed from the Register under the provisions of these rules shall forthwith surrender his certificate or registration to the Registrar and the names so removed shall be published in Official Gazette.

98. List of names removed from Register to be sent to Bodies concerned.—The Registrar shall within one month after any names have been removed from the Register, by order of the Executive Committee under section 36 send to the Bodies concerned a list of all such names and shall call the attention of each licensing Body to the following rule of the Executive Committee.

“The Executive Committee recommends that no person whose name has been once removed from and has not been restored to the Register shall without previous reference to the Executive Committee be admitted to examination for any new qualification which is registrable in the Register”.

PART—XIII

Restoration of name to the Pharmacist Register

99. Application for restoration of name.—Application for restoration to the Register of a name removed under section 36 shall be entertained in the next session of the Council only.

100. Re-entering name in Register.—The Executive Committee may on application received from a person whose name has been erased from the Register under section 36 direct the Registrar, if it thinks fit, to re-enter the name in the Register.

101. Application for re-entry of name to be accompanied by documents.—No application for the re-entry of a name erased from the Register under section 36 shall be entertained unless it is accompanied by an application from the applicant in Form L and accompanied by the following documents:—

- (a) Applicant's diploma;
- (b) His certificate of Registration in original.

102. Application for re-entry of name.—Any person whose name has been removed from the Register by the direction of the Council under section 36 but who still possess a qualification entitling him to be registered under the Act, may make an application to the Council for the re-entry of his name in the Register and the following procedure shall be followed in the case of every such application.

(1) The application shall be in writing addressed to the Council and signed by the applicant and shall state the grounds on which the application is made.

(2) The application shall be accompanied by—

(a) a declaration made by the applicant setting forth the facts of the case and stating that he is the person originally registered: and

(b) by one of the following documents:—

(i) Applicant's diploma

(ii) His certificate of registration in original if the same has not been already returned by him in accordance with the provisions of section 36(5) of the Act.

(iii) A certificate in the Form M from the Pharmacists registered under the Act as to his identity.

(3) The Statement in the application shall also be verified by certificates in writing to be given by two Pharmacists registered under the Act who are residents of the place where the applicant has been testified as to his present good character.

(4) Before the application is considered by the Council, the Registrar shall notify the same to the Licensing Bodies whose qualifications were held by the applicant at the time his name was removed and shall further by letter addressed to the person or Body (if any), on whose complaint the applicant's name was removed, give notice of the application and of the time when the Council intends to consider the same.

(5) The Council shall consider the application and may if it thinks fit, adjourn the consideration of it to a future date or require further evidence or explanation from the applicant.

(6) The application and the certificates referred in sub-rule (3) shall be in Forms N and O with such variations as circumstances may require. Printed forms shall be kept by the Registrar who shall supply to intending applicant.

PART - XIV

Registrar clerks and office hours

103. *Qualification and Pay of Registrar.*—The Qualifications and the scale of pay for the post of the Registrar shall be fixed by the Council with the previous approval of the Government in respect of grant of leave and travelling and other allowances to the Registrar and Council shall generally be guided by principles laid down in the Civil Services Rules of the State of Goa.

104. *Post of Registrar to be of permanent tenure.*—The post of the Registrar shall be of permanent tenure. In the case of new appointment there shall be probationary period of one year. The Registrar shall be a full time or a part time Officer of the Council, as may be decided by the Government.

105. *Maintenance of Registrar.*—The Registrar shall keep his register in accordance with the provision of the Act and the rules and regulation of the Council.

106. *Registrar to be present at every meeting.*—The Registrar shall be present at every meeting of the Council of the Executive Committee and shall take minutes of the proceedings at such meetings.

107. *Registrar to have charge of correspondence.*—The Registrar as Secretary shall conduct and have charge of the correspondence of the Council and shall issue all requisite notice in the manner required under these rules.

108. *Registrar to fulfil duties required of him.*—The Registrar shall fulfil all the duties that may be required of him by the Rules and Regulations for the time being of the Council.

109. *Office of Registrar to be kept open during working hours.*—Except Public Holidays, the office of the Registrar shall be kept open during the working days observed by the Government. The Registrar shall not absent himself from duties unless with the permission from the President. The President shall grant leave to the Registrar in accordance with the principles laid down in the Civil Services Rules of State of Goa.

110. *Temporary additional assistance to the Registrar.*—The Registrar shall be authorised to obtain whatever temporary additional assistance that may be required subject to the sanction of the President.

111. *Registrar to have control over management.*—The Registrar shall have general control over the management of the office, authority over the clerks and servants and superintendents of the building.

112. *Registrar to assign duties to clerks.*—The duties of the clerks shall be assigned to them by the Registrar under the direction of Executive Committee.

113. *Clerks to attend office on all working days.*—The clerks shall attend the office on all working days observed by Government, and at other time when necessary they shall not be absent from the duties unless by permission from the Registrar.

114. *Attendance by peons.*—The peons shall attend office according to the order of Government in that matter. Leave to peons shall be granted by the Registrar in accordance with principles laid down in the Civil Services Rules as applicable to the Government servant.

PART - XV

Corporate Seal

115. *Corporate seal to be kept under lock and key.*—(1) The Corporate Seal shall be kept in a box having two different locks and the key of one of these locks shall be in the custody of the President and the key of the other lock in the custody of the Registrar.

(2) The Seal shall be affixed only by order of the Council or when the Council is not sitting by order of the Executive Committee but its use by such Committee shall be limited to such act as may be necessary to carry into effect the powers delegated to it by the Council.

116. *Order for affixing seal.*—Any order for affixing the seal shall state the object of its use and shall be entered in the minutes of the Council, or of the Executive Committee, as the case may be.

PART - XVI

Inspection of Documents

117. *Conditions for inspecting documents.*—The following shall be the conditions on which leave is granted to members of the Council to inspect the documents of the Council when not required for use by its legal advisers:—

(1) A notice in writing of three clear days shall be given to the Registrar, except when the Council is in session when special leave may be granted.

(2) The subject of the documents needed for inspection shall be stated.

118. *Responsibility of Registrar.* — The Registrar shall be held responsible for the sole custody of all documents.

119. *Arrangement of documents.* — The Registrar shall issue instructions to have documents so arranged with respect to chronological order or otherwise so as to facilitate their inspection during office hours.

120. *Document under inspection not to be removed.* — Documents under inspection shall not be removed from the premises of the Council.

121. *Documents to be treated as confidential.* — All such documents and the information derived therefrom shall be regarded as strictly confidential.

PART - XVII

Accountants

122. *Council to receive contribution from private persons.* — The Council is authorised to receive for the purpose of its expenses, benefaction and contributions from private persons and bodies and the proceeds of the sale of reports and other publications.

123. *Council to open account in Bank.* — An account shall be opened in the State Bank of India, Panaji in the name of the Council and all the moneys of the Council shall be deposited in the said bank subject to the reservation mentioned in rule 129.

124. *Registrar to receive moneys payable to Council.* — The Registrar if appointed as a treasurer under section 26 shall receive all moneys payable to the Council. He shall not retain in his hand a sum of more than Rs. 1000/- the balance being lodged in the Bank to the credit of the Council.

125. *Registrar to superintend details of income.* — The Registrar, as the Treasurer, shall superintend the details of income and expenditure of the Goa State Pharmacy Council and shall at each ordinary meeting at the Executive Committee, submit a Financial Statement showing the transactions of the Council for the month previous to one in which the meeting is held. This statement shall if possible be sent out with the notice calling the meeting.

126. *Registrar to prepare statement of income and expenditure.* — The Registrar shall in the month of July, in each year prepare a statement of income and expenditure of the preceding financial year ending 31st March and draw the attention of the Council to such matters as seen deserving of notice.

127. *Annual account.* — The annual account shall be made up by the Registrar under the direction of the Executive Committee.

128. *Estimate of revenue and expenditure to be laid before Council.* — In the month of September

each year an estimate of the revenue and of the expenditure of the Council for next ensuing year commencing on 1st April shall be laid before the Council.

129. *Estimate to make provisions for meeting liabilities of Council.* — Such estimate shall make provisions for meeting the liabilities of the Council and for effectually carrying out its objects. It shall include on its revenue side, besides all revenue anticipated and all fees received from Registration and other sources and the amount expected from Government by way of grant.

130. *Council to consider estimate.* — The Council shall consider the estimate so submitted to it and shall convey sanction to it in either unaltered form or subject to such alterations as shall be deemed fit.

131. *Supplementary estimate.* — The Council may at any time during the year for which any estimate has been sanctioned, cause a supplementary estimate to be prepared and submitted to it. Every such supplementary estimate shall be considered and sanctioned by the Council, in the same manner as if it were an original annual estimate. No expenditure shall be incurred by the Council which is not duly provided for in the budget or in a supplementary budget estimate.

132. *Examination by Registrar.* — A bill or other voucher presented as a claim for money shall be received and examined by the Registrar. If the claim be for a sum not exceeding Rs. 50/- and the bill is in order, he shall pay it. If the claim is for a sum exceeding Rs. 50/- and the bill is in order, payment shall be made after it is sanctioned by the President.

133. *Registrar to enter into cash book all moneys received.* — The Registrar shall immediately bring into account in general cash book all moneys received or sent by the Council.

134. *Cheques to be signed by President.* — All cheques in the Bank be signed by the President or his nominee and the Registrar.

APPENDIX

FORM "A"

(See Rule 5)

Notice of Election

Election of a member or members of the Goa State Pharmacy Council.

Notice is hereby given pursuant to the provisions of rule 5 of the Rules and Regulations of the Goa State Pharmacy Council that the election of ... members of the Goa State Pharmacy Council to serve during the period expiring ... day of ... is about to be held.

Nominations of eligible persons to fill the vacancy are invited.

Each candidate must be nominated by a separate nomination paper, but any person entitled to vote at the election may sign the nomination paper of any number of candidates not exceeding the number to be elected and for which he is entitled to vote.

Every nomination paper must be in the Form B giving all the details required therein.

The nomination paper must reach the undersigned not later than ... day of ... for which forms of nomination papers may be obtained by application.

Nomination papers in respect of which provisions of part I of the Rules have not been complied with, or which are not received by the Returning Officer by the aforesaid date, will be invalid.

Address ...

Dated ...

Returning Officer

FORM "B"

[See Rule 6(3)]

Form of Nomination Paper

Election of member or members of the Goa State Pharmacy Council.

I, the undersigned being a registered pharmacist hereby nominate (a) ... registered as a Pharmacist his registered number being (b) ... as a candidate for election as a member of the Goa State Pharmacy Council at the forth coming election:

Signature ...

Address ...

Registration No. ...

Dated ...

We, the undersigned second the proposal of Shri ...

Signature ...

Address ...

Registration No. ...

Dated ...

Signature ...

Address ...

Registration No. ...

Dated ...

I, the undersigned hereby consent to accept nomination as a candidate for election to the Goa State Pharmacy Council.

Signature ...

Address ...

Registration No. ...

Date ...

(a) State name and full address

(b) State Registered Number

FORM "C"

[See Rule 6(10)]

Form of Voting Paper

Election of member or members of the Goa State Pharmacy Council.

Official Mark of the returning officer	Election of (a) ... member		
Column for Voter's mark (X)	Name of candidate (b)	Address	Registration Number

(a) Number of candidates to be elected

(b) Names to be printed in Alphabetical order.

INSTRUCTIONS

- (1) Each elector has ... votes.
- (2) He shall vote by placing the mark (X) opposite the name of the candidate whom he prefers.
- (3) The voting papers shall be invalid if the marks (X) is placed opposite the names of more than ... candidates or if the marks are so placed as to render it doubtful to which candidates they are intended to apply.

- (4) The elector shall enclose the voting paper in the identification cover and then enclose that cover in a bigger cover in the left hand lower corner of which elector shall write his full name and if the elector fails to write his full name and signature the voting paper shall be invalid.
- (5) A voting paper shall be invalid if the voter returns the voting paper otherwise than in the "Identification Envelope" with the declaration thereon duly completed.
- (6) Every elector shall send his voting paper in a separate cover direct to the Returning Officer.
- (7) If the Returning Officer receives more than one voting paper from any elector, all such voting papers shall be invalid.
- (8) If more than one mark is placed before the name of any candidate the whole paper will be disqualified.
- (9) This paper must be folded "Face Inwards" placed in the accompanying Identification Envelope which must be securely closed and then placed in a covering envelope.

FORM "D"

[See Rule 6(11)]

Form of Declaration on Identification Envelope
Goa State Pharmacy Council

I, (a) ... of ... hereby declare that I am the person to whom the enclosed voting paper was addressed, that I am registered Pharmacist (b) ... and that I have not returned any other voting paper in this election.

Signature ...

Address ...

Date ...

Signed in presence of (c) ...

1. Signature ...

2. Signature ...

(a) Insert full name.

(b) Insert register number.

(c) There must be two witnesses.

FORM 'E'

(see rule 64)

Form of Register of Pharmacist

1. Serial Number.
2. Name in full.
3. Residential address.
4. Date of first admission to the Register.
5. Qualifications for Registration.
6. Name of the Employer.
7. Professional address.
8. Nationality.
9. Date of renewal of Registration.
10. Remarks (Note Removal or restoration of names with dates).

State Insignia here

REGISTERED PHARMACIST

FORM 'F'

[See Rule 67(1)]

State Pharmacy Council

Name of the State here

This is to certify that within signed ... Name ... Born on ... has been duly registered as a Registered Pharmacist

and is entitled to all the privileges granted under the Pharmacy Act, 1948 (Central Act 8 of 1948)

In witness whereof are herewith affixed the seal of the
... State Pharmacy Council and the signature of the
Registrar of the said Pharmacy Council.

Certificate No. ...

Photograph

Date of registration ...

Registrar

This certificate is the property of ... State Pharmacy Council and is issued to the above named pharmacist and shall not be valid for current year unless renewed.

Every person receiving a certificate under this Act, shall keep the same conspicuously displayed in the place of business where he is working in his capacity as a registered pharmacist and shall notify to the Registrar of the Pharmacy Council any change of place of business.

FORM "G"

(See Rule 68)

To

The Registrar, Goa State Pharmacy Council, Panaji:

Sir,

I request that my name be registered as a Pharmacist under the Pharmacy Act, 1948 and that I may be furnished with a certificate of Registration.

- 2—Necessary particulars are given on the reverse of this application.
- 3—I enclose herewith for your perusal and return the certificates in original and their copies for record in your office.
- 4—I hereby declare that I have read carefully and understood the instructions and particulars supplied to me and that all entries on the reverse of this application are true to the best of my knowledge and belief.
- 5—I agree that I will follow the rules of the Pharmacy Council which may be laid down for the guidance of the registered Pharmacists from time to time.

Yours faithfully,

Address

Dated:

INSTRUCTIONS

1. All particulars of the application must be filled in by the applicant in neat legible hand.
2. The names and particulars entered in this application must exactly correspond with the name and particulars of the applicant entered at the University or other examination.
3. Registration fee of Rs. 50/- should be sent to the Registrar by money order or handed in person. The Registration fee is not refundable whether the application for registration is accepted or rejected.
4. If the space for giving particulars is not found sufficient they may be given on a separate sheet and attached to this application.
5. Copies of sections 31, 32 and 41 of the Pharmacy Act are attached with this application for the information of the applicant.
 - 1—Name in full, beginning with Surname (in block capitals)
 - 2—Father's name
 - 3—Place and date of birth (Proof of age to be attached)
 - 4—Nationality.
 - 5—Permanent residential address (in block capitals).
 - 6—Address of the Hospital, Dispensary or other place in which employed at present.

- 7—Year of passing the Matriculation Examination or Examination prescribed as being equivalent to Matriculation Examination (kindly attach original certificate with a copy).
- 8—Description of qualification as a Pharmacist (kindly attach original certificate with a copy).
- 9—Name of the examining body.
- 10—Name of the Institution under which training undergone.
- 11—Year of passing examination.

Signature of the Applicant

THE PHARMACY ACT, 1948

Section 31, Qualifications for entry on first register.

A person who has attained the age of eighteen years shall be entitled on payment of the prescribed fee to have his name entered in the first register if he resides, or carries on the business or profession of pharmacy, in the State and if he—

- (a) holds a degree or diploma in pharmacy or pharmaceutical chemistry or a chemist and druggist diploma of an Indian University or a State Government, as the case may be, or a prescribed qualification granted by an authority outside India, or
- (b) holds a degree of an Indian University other than a degree in pharmacy or pharmaceutical chemistry, and has been engaged in the compounding of drugs in a hospital or dispensary or other place in which drugs are regularly dispensed on prescriptions of medical practitioners for a total period of not less than three years, or
- (c) has passed an examination recognised as adequate by the State Government for compounders or dispensers, or
- (d) has been engaged in the compounding of drugs in a hospital or dispensary or other place in which drugs are regularly dispensed on prescription of medical practitioners for a total period of not less than five years prior to the date notified under sub-section (2) of section 30.

Section 32, Qualifications for subsequent Registration.

(1) After the date appointed under sub-section (2) of section 30 and before the Education Regulations have, by or under section 11, taken effect in the State, a person who has attained the age of eighteen years shall on payment of the prescribed fee be entitled to have his name entered in the register if he resides or carries on the business or profession of pharmacy in the State and if he—

- (a) satisfies the conditions prescribed with the prior approval of the Central Council, or where no conditions have been prescribed, the conditions entitling a person to have his name entered on the first register as set out in section 31, or
- (b) is a registered pharmacist in another State, or
- (c) possesses a qualification approved under section 14. Provided that no person shall be entitled under clause (a) or clause (c) to have his name entered on the register unless he has passed a matriculation examination or an examination prescribed as being equivalent to a matriculation examination.

(2) After the Education Regulations have, by or under section 11 taken effect in the State, a person shall on payment of the prescribed fee be entitled to have his name entered on the register if he has attained the age of eighteen years, if he resides, or carries on the business or profession of pharmacy, in the State and if he has passed an approved examination or possesses qualification approved under section 14, or is a registered pharmacist in another State.

Section 41, Penalty for falsely claiming to be registered.

(1) If any person whose name is not for the time being entered in the register of the State falsely pretends that it is so entered or uses in connection with his name or title any words or letters reasonably calculated to suggest that his name is so entered, he shall be punishable on first conviction with fine which may be extended to five hundred

rupees and on any subsequent conviction with imprisonment extending to six months or with fine not exceeding one thousand rupees or with both:

Provided that it shall be a defence to show that the name of the accused is entered in the register of another State and that at the time of the alleged offence under this section and application for registration in the State had been made.

(2) For the purposes of this section,—

(a) it shall be immaterial whether or not any person is deceived by such pretence or use as aforesaid;

(b) the use of the description "pharmacist", "chemist", "druggist", "pharmaceutist", "dispenser", "dispensing chemist" or any combination of such words or of any such word with any other word shall be deemed to be reasonably calculated to suggest that the person using such description is a person whose name is for the time being entered in the register of the State.

(c) the onus of proving that the name of a person is for the time being entered in the register of a State shall be on him who asserts it.

(3) Cognizance of an offence punishable under this section shall not be taken except upon complaint made by order of the State Government or any officer authorised in this behalf by the State Government or by order of the Executive Committee of the State Council.

FORM "H"

[See Rule 70(1)]

Application for registration of additional qualification

To
The Registrar
Goa State Pharmacy Council

Sir,

I beg to apply for the registration of the additional qualification ... which I have obtained from ... in ... The Diploma or certificates of the qualifications are enclosed herewith. These may be returned as soon as done with.

I am already registered under the Pharmacy Act, 1948 and my Registration number is ...

The prescribed fee of Rs. 5/- (five) is sent herewith dated the ...

Yours faithfully,

(Signature of the applicant)

FORM "I"

[See Rule 70(2)]

Registration of additional qualification

(Under section 35 of the Pharmacy Act, 1948)

The additional diploma/Certificate appearing below have been inserted in the Register of Pharmacist for the State against the names of Shri/Shrimati ...

Registration No. ...

Diploma or Certificates already registered

Diploma or Certificate now registered

Date

Registrar

FORM "J"

[See Rule 72]

Certified copy of entries in the Register

No. Office of the Goa State Pharmacy Council, Panaji.

Certified to be a true copy of the entry in the Pharmacy Register of the name specified below:—

Name	Address	Date of Registration	Qualification

Registrar

N.B. This certified copy remain evidence of registration only until the publication of the printed pharmacists registration for 19— It is not nor must it be used as evidence of the identity of the holder with the person named therein.

FORM "K"

[See Rule 85]

Notice to a Pharmacist to attend proceedings for removal of his name from the Pharmacists Register under section 36 of the Pharmacy Act, 1948.

Sir,

On behalf of the Executive Committee of the Goa State Pharmacy Council, I give you notice that information and evidence have been laid before the Executive Committee by which the complainant make the following charges against you, namely (here set out the circumstances briefly) and that in relation thereto you have been guilty of infamous conduct in a professional respect.

Or that you were on the ... day of ... convicted of the following offence at viz.

(set out particulars of the conviction)

And I am directed further to give you notice that on the day of 19 meeting of the Executive Committee will be held at ... at ... O'clock in the ... to consider the above mentioned charges against you, and decide whether or not they should direct your name to be removed from the Register pursuant to section 36 of the Pharmacy Act, 1948. You are invited and required to answer in writing the above charges and to attend before the Executive Committee at the above mentioned place and time to establish any denial or defence that you may have to make up to the above mentioned charges and you are hereby informed that if you do not attend as required the Executive Committee may proceed to hear and decide the said charges in your absence.

Any answer or other communication or application, which you may desire to make respecting the said charges or your defence thereto, must be addressed to the Registrar of the Council and transmitted so as to reach him not less than ... days before the day appointed for the hearing (...) of the case.

REGISTRAR

FORM "L"

(See Rule 101)

Application for re-entry in the Register of Pharmacist of his name removed under section 34(2).

To
The Goa State Pharmacy Council,
Panaji.

Sir,

I, the undersigned (a) holding the qualification (b) solemnly and sincerely declare the following:—

In the year (c) my name was duly registered in the Register in respect of the following qualification viz. (d) and on the date of erasure of my name I was registered in respect of the following additional qualifications viz. (e) The registrar removed my name from the Register on (f) for default in payment of renewal fee.

Since the removal of my name from the Register, I have been residing at (g) and my occupation has been (h)

It is my intention that my name be restored in the Register to (i)

Declared at _____ on _____ Yours faithfully,

Witness (j)
Signature _____
Address _____ Signature _____

- Registration No.
a) Insert full name
b) Insert qualification
c) Insert date of Registration
d) Insert qualification
e) Insert additional qualifications
f) Insert date of removal
g) State address
h) Give particulars
i) Insert particulars as to a proposed future profession
j) A registered Pharmacist

FORM 'M'

[See rule 102(2)(iii)]

Certificate in support of Application

I hereby certify that the aforesaid applicant is the above specified ... whose name formerly stood in the Register of Pharmacist under the Pharmacy Act, 1948 with the following address and qualification.

Name ...
Address ...
Qualification ... Signature of the person Certifying
Date ... Registration number

FORM 'N'

[See rule 102(6)]

Statutory declaration by Applicant for restoration of name to the Register of Pharmacists under Section 37 of the Act

To
The Goa State Pharmacy Council

(1) I, the undersigned (a) now holding the qualification of (b) do solemnly and sincerely declare that the following are the facts of my case and in reason of which I seek re-entry of my name in the Goa State Pharmacy Register.

(2) In the year of (c) my name was duly registered in the Register in respect of the following qualification namely (d) and on the date of the removal of my name herein after mentioned I was registered in respect of the same qualification (e) ... and also in respect of the following additional qualifications, namely

(3) At an enquiry held on the (f) ... day of ... the Council directed my name to be removed from the register on a complaint made to the State Pharmacy Council by (g) ... of and the offence for which the Council directed the removal of my name was(h).

(4) Since the removal of my name from Register, I have been residing at (i) ...and my occupation has been (j)

(5) It is my intention that my name be re-entered in the Register.

(6) The Ground of application are (k)

Signed

Declared at _____ on _____ before _____

Presidency/Executive Magistrate or Commissioner of Oaths or

- a) Insert full name
b) Insert qualification if any
c) Insert date
d) Insert original qualifications
e) To be added to if necessary
f) Insert date of enquiry
g) Insert name and address of the complainant
h) Insert charge on which name was removed
i) The blank in this paragraphs must, be filled in accordance with the circumstances
j) Insert particulars as to proposed future professional occupations.
k) All facts and grounds on which the application is made should be clearly and concisely state.

FORM 'O'

[See rule 102(6)]

Certificate in support of application

I _____ of _____ Certify as follows:

- i) My Registration No. is
ii) I have read paragraphs (4) and (5) of the application of and say that I have been and am well acquainted with said ... both before and since his name was removed from the Register that I believe him to be now a person of good character and that the Statements in the said paragraphs are to the best of my knowledge, information and belief true.

Signature

Address

Registration No.

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

L. J. Menezes Pais, Under Secretary (Health).

Panaji, 31st October, 1990.

Department of Labour

Notification

25/4/89-LAB

In exercise of the powers conferred by section 27 of the Minimum Wages Act, 1948 (Central Act XI of 1948) (hereinafter called the 'said Act'), the Government of Goa hereby gives notice of its intention to add to part I of the Schedule to the said Act, the following employments, namely: —

In Part I of the Schedule to the said Act, after item (XIV), the item relating to Employments in Private hospitals, etc. shall be numbered as item

(XV), and after the said item (XV), the following items shall be added, namely: —

- “(XVI) Employment in Plastic Industry and plastic products industry.
 (XVII) Employment in readymade garments manufactory.
 (XVIII) Employment in cotton textile, cotton ginning, cotton pressing, manufacture of cotton fibre, thread, yarn, spinning and weaving including handloom weaving.
 (XIV) Employment in watch and ward and security services.”

All objections and suggestions, if any, should be sent to the Secretary (Labour) to the Government of Goa, Secretariat, Panaji, within three months from the date of publication of this Notification in the Official Gazette.

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

Subhash V. Elekar, Joint Secretary (Labour).

Panaji, 29th May 1991.

◆◆◆
 Finance (Revenue and Control) Department.

Notification

16-1-81-Fin(R&C)

In exercise of the powers conferred by section 89 of the Chit Funds Act, 1982 (Central Act 40 of 1982),

the Government of Goa, in consultation with the Reserve Bank of India, hereby makes the following rules so as to further amend the Chit Funds (Goa, Daman and Diu) Rules, 1984, namely: —

1. **Short, title and commencement.** — (1) These rules may be called the Chit Funds (Goa) (Amendment) Rules, 1991. They shall come into force at once.

2. **Amendment of rule 58.** — In rule 58 of the Chit Funds (Goa, Daman and Diu) Rules, 1984, for sub-rule (1), the following shall be substituted, namely:—

“(1) An appeal under section 70 or sub-sections (1) and (2) of section 74 shall be made in writing and shall be either presented in person or sent by registered post to the appellate authority.

Explanation. — For the purpose of this rule and rule 59, ‘appellate authority’ means —

- (a) in respect of an appeal under section 70, the Government;
 (b) in respect of an appeal under sub-sections (1) and (2) of section 74, the Government or such officer or authority as may be empowered by Notification in the Official Gazette by the Government in that behalf”.

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

S. K. S. Usgaonkar, Joint Secretary (Finance).

Panaji, 27th May, 1991.