

The Goa Tourist Places (Protection and Maintenance) Appeal Rules, 2001

GOA

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Rule

THE-GOA-TOURIST-PLACES-PROTECTION-AND-MAINTENANCE-APPEAL RULES, 2001

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The Goa Tourist Places (Protection and Maintenance) Appeal Rules, 2001Published vide Notification No. 6/4/(59)2001-DT, dated 26th November, 2001In exercise of the powers conferred by section 14 of the Goa Tourist Places (Protection and Maintenance) Act, 2001 (Goa Act 56 of 2001), and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules, namely:-

1. Short title and commencement.

(1)These rules may be called the Goa Tourist Places (Protection and Maintenance) Appeal Rules, 2001.(2)They shall come into force at once.

2. Definition.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Goa Tourist Places (Protection and Maintenance) Act, 2001 (Goa Act 56 of 2001);(b)"Competent Authority" means the authority appointed by the Government under section 4 of Act;(c)"Government" means the Government of Goa;(d)"section" means a section of the Act;(e)words and expression used but not defined in these rules shall have the same meaning respectively as assigned to them in the Act.

3. Form and content of an appeal.

(1) Every appeal against the order of the competent authority made under the Act, shall be in the form of memorandum. (2) The memorandum of an appeal shall be drawn up in duplicate by the appellant or his representative and after being signed either by the appellant or a person duly authorised by him in that behalf, filed before or sent by a registered post to the Government. (3) The memorandum of appeal shall contain the following particulars, namely:-(i) the name and address of the appellant; (ii) date of order of the competent authority; (iii) clear statement of facts; (iv) contain grounds of an appeal; (v) the relief prayed for, precisely and in brief. (4) The memorandum of an appeal shall be signed and verified by the appellant or by a representative duly authorised by him in writing in that behalf in the following form, namely: - "I appellant/representative appointed by the appellant named in the above memorandum of appeal do hereby declare that what is stated herein is true to my knowledge and belief". (5) Every such memorandum of appeal shall bear a fee of Rupees one thousand only and the same shall be paid by way of challan or stamp affixed to the memorandum. The memorandum of appeal shall be accompanied by either the order in original against which it is made or duly certified copy thereof unless omission to produce such order or copy is explained at the time of the presentation of the appeal to the satisfaction of the Government. (6) The Respondent in the appeal shall be entitled to file a reply and if such a reply is filed, the appellant may file a rejoinder.

4. Summary rejection of appeal.

- The appeal may be summarily rejected by the Government if the appellant, after being given the opportunity in this behalf, fails to comply with any of the requirements of these Rules.

5. Fixing the date for hearing of appeal.

- If the Government does not reject the appeal summarily, it shall fix a date for hearing and notify the same to the parties. Fifteen days notice shall be given to the parties in advance of the date of hearing by registered A/D letter or served personally at the address given in the memorandum of appeal.

6. Hearing of an appeal.

(1) If the Government so desires, it may depute any assessor to inspect and submit a report after making such inquiries as directed, but no recommendation of the assessor shall be binding on the Government. (2) The Government may for sufficient reasons adjourn at any stage, hearing of an appeal to a different date.

7. Dismissal of an appeal for non appearance.

- If on the date and at the time fixed for hearing or at any other date or at any other times to which the hearing may be adjourned, the appellant or his representative does not appear before the

Government either in person or through an agent, the Government may dismiss the appeal or may decide it ex parte as it may think fit.

8. Procedure for disposal of an appeal.

(1) The Government may, after giving the appellant an opportunity of being heard, pass such orders thereon as it thinks fit, confirming, modifying or annulling the order appealed against. Such order shall be passed by the Government within sixty days from the date of filing of the appeal. (2) The Government shall send a copy of every order passed by it to the parties to the appeal. (3) The Government shall not in any appeal pending before it against any order under the Act, make an interim order or injunction against the competent authority unless an opportunity of being heard is given to the competent authority: Provided that the Government may without giving an opportunity as aforesaid, make an interim order as an exceptional measure, if it is satisfied for reasons to be recorded by it in writing that it is necessary so to do for preventing any loss being caused to the person filing appeal which cannot be adequately compensated in money: Provided further that every such interim order shall if it is not vacated earlier cease to have effect on the expiry of a period of fifteen days from the date on which it is made unless before the expiry of that period, the Government confirms or modifies that order after giving to the Respondent opportunity of being heard. (4) An order of the Government made under these Rules may be executed or caused to be executed by it in whose favour the order has been made. The decision of the Government in the appeal shall be final and binding on the parties thereof. Notifications

6.

/4/(59)2001-DT. In exercise of the powers conferred by section 4 of the Goa Tourist Places (Protection and Maintenance) Act, 2001 (Goa Act 56 of 2000) (hereinafter called the "said Act"), the Government of Goa hereby appoints Director of Tourism, Government of Goa, to be a competent authority for the purpose of the said Act for the entire State of Goa, with immediate effect.

6.

/4/(59)2001-DT. - In exercise of the powers conferred by section 3 of the Goa Tourist Places (Protection and Maintenance) Act, 2001 (Goa Act 56 of 2001) (hereinafter called the said Act) the Government of Goa, hereby declares the following places to be the tourist places for the purpose of the said Act, with immediate effect. (I) Beaches All the beaches within the State of Goa. (II) Old Monuments Churches at Old Goa, Mahadev Temple at Tambdi Surla, Safa Masjid at Ponda. (III) Temples in the State of Goa (1) Shree Bhagavati Temple at Pernem Taluka (2) Shree Bhagavat Temple at Parshem (3) Shree Brahma Temple at Brahma Carambolim (4) Shree Chandranath Temple at Paroda (5) Shree Damodar at Zambaulim-Sanguem (6) Shree Datta Mandir at Dattawadi, Sanquelim (7) Shree Devi Sharvani Temple at Advolpal (8) Shree Devkikrishna Ravlnath at Marcelo, Ponda (9) Shree Gomanteshwar Devasthan Brahmapur near Ela Farm at Old Goa (10) Shree Gomantak Tirupati Balaji Padmavati Temple in Ponda Taluka, Kunkulim Village (11) Shree Gopal Ganapati at Farmagudi, Ponda (12) Shree Kalikadevi at Kansarpal (13) Shree Kamakshi Saunthan Shiroda (14) Shree Lairai Temple at Sirigao (15) Shree Mahadeo Bhumika at Sal, Bicholim (16) Shree

Maha Ganapati Temple at Model in Tivim(17)Shree Mahalsa Temple at Mardol(18)Shree Mahalaxmi Temple at Bandode(19)Shree Mallikarjun Temple at Canacona(20)Shree Manguesh Temple at Priol Ponda(21)Shree Morjaee Temple at Morjim(22)Shree Naguesh Temple in the village Bandora(23)Shree Navdurga Saunsthan at Borim(24)Shree Navadurga Temple at Madkai(25)Shree Ramnath Temple in Ponda Taluka(26)Shree Rudreshwar Temple at Harvalem(27)Shree Saptakoteshwar Temple at Narve-Bicholim(28)Shree Sapteshwar-Bhagvati Temple at Mandrem(29)Shree Saunsthan Gokarn Partagali Jeevotam Math at Partagali(30)Shree Saunsthan Goudpadacharya Kavle Math at Kavalem(31)Shree Shantadurga Temple at Kavlem(32)Shree Shantadurga Temple at Dhargal(33)Shree Shantadurga (Kunkolienkarin) Temple at Fatorpa (Quepem)(34)Tapobhoomi at Kundai(35)Shree Vithal Mandir at Vithalwadi, Sanquelim.(IV)Churches(1)Basilica of Bom Jesus, Se Cathedral, Church of St. Francis of Assisi, St. Cajetan Church, Church of Our Lady of Rosary, Nunnery of Santa Monica, Ruins of Church of St. Augustine, Viceroy's Arch at Old Goa.(2)Reis Magos Church at Reis Magos(3)The Church of Mae de Deus at Saligao(4)The Church of St. Alex at Curtorim(5)The Church of St. Ana at Talaulim, Ilhas.(V)Mosques(1)Jama Masjid at Sanguem.(VI)Forts(1)Aguada Fort(2)Reis Magos Fort(3)Chapora Fort(4)Khorjuvem Fort(5)St. Estevao Fort(6)Alorn Fort(7)Mormugao Fort(8)Cabo de Rama Fort(9)Colvale Fort(10)Terekhol Fort.(VII)Wild Life Sanctuary(1)Bhagvan Mahavir Wildlife Sanctuary at Molem(2)Bondla Forest(3)Cotigao Wildlife Sanctuary in Canacona Taluka(4)Salim Ali Bird Sanctuary at western tip of the island of Chorao.(VIII)Cities(1)Panaji(2)Margao(3)Vasco-da-Gama(4)Mapusa(5)Ponda.(IX)Lakes(1)Maem Lake(2)Carambolim Lake(3)Nanda Lake.(X)Waterfalls(1)Dudhsagar Waterfalls(2)Arvalem Waterfalls.(XI)Parks and Gardens(1)Rustic Plantation at Dongurli Village(2)Pascoal Spice Village near Village of Khandepar(3)Savoi Plantation Spice of Life at Savoi PondaAnd all the Gardens/Parks which are maintained by Municipalities/Panchayats within the State of Goa.(XII)Museums and Art Galleries(1)Archaeological Museum and Portrait Gallery at Old Goa(2)Goa State Museum at Patto, Panaji(3)Museum of Christian Art, Rachol(4)Naval Aviation Museum at Dabolim(5)Galleries at Se Cathedral, St. Francis of Assisi Convent and Basilica of Bom Jesus(6)Galleria de Icons, Seva Samiti Bldg. Margao(7)The Big Foot Art Gallery and Local Handicrafts Centre, Loutulim.(XIII)Seminaries(1)Pilar, Goa Velha(2)Rachol, Margao(3)Saligao, Saligao.(XIV)Springs(1)Kesarval(2)Pomburpa.