



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

The Goa Registration Of Tourist Trade (Amendment) Bill, 2015

(Bill No. 17 of 2015)

By Shri Rohan Khaunte, MLA

(To be introduced in the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM-GOA
AUGUST, 2015.**

The Goa Registration of Tourist Trade (Amendment) Bill, 2015
(Bill No. 17 of 2015)

A

BILL

further to amend the Goa Daman and Diu Registration of Tourist Trade Act 1982 (Act 10 of 1982).

BE it enacted by the Legislative Assembly of Goa in the Sixty-sixth Year of the Republic of India as follows:-

1. Short title, extent and Commencement.-

(1) This Act may be called the Goa Registration of Tourist Trade (Amendment) Act, 2015.

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

(3) It shall come into force at once.

2. Amendment of section 6.- In section 6 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (Act 10 of 1982) (hereinafter referred to as the “principal Act”),-

(i) after clause (d) of sub-section (1) the following clause shall be inserted, namely:-

“6(1) (e). “if he had obtained the registration by making a false statement or producing a false document.”.

3. Amendment of section 7.- In section 7 of the “principal Act”),

(i) for the sub- section (3), the following sub-section shall be substituted, namely:-

“ **(3).**- Every application made under sub-section (1) shall be disposed off within a period of one month from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.”.

4. Substitution of section 8.- for section 8 of the principal Act, the following section shall be substituted, namely:-

“8. Certificate of registration.- (1) The prescribed authority shall, unless registration is refused under section 9, direct that the name and the particulars of the hotel and the hotel-keeper be entered in the register maintained for the purpose and shall issue a certificate to the hotelkeeper in the prescribed form.

(2) The Validity of the Certificate of Registration issued shall be for a period of 5 years from the date of issue, subject to provisions of section 10 enumerated hereunder.

(3) The applicant shall have to pay in advance, a non-refundable fee for the entire 5 years period of Validity of Certificate of Registration at the time of applying for the Registration of Hotel/s.”.

5. Amendment of section 10.- In section 10 of the principal Act, after clause (d) of the sub-section(1) the following clause (e) shall be inserted, namely:-

“10 (1) (e).- if hotelkeeper had obtained the registration by making a false statement or producing a false document.”.

Statement of Objects and Reasons

The Goa Daman and Diu Registration of Tourist Trade Act, 1982 is presently struggling to cope with the Tourism growth that Goa has witnessed since 1982 . the existing laws are inadequate to deal with the situations now arising which were not available in 1982.

We need to regulate the trade by bringing strength to penalty for false representations for procuring registrations. There is need to lay guidelines and we need to simplify registration laws to see that Goa retains its position as the premier international tourist destination.

This Bill seeks to achieve the above objective.

Financial Memorandum

No additional financial burden will be upon the Government as the existing Machinery will be charged with the implementation.

Memorandum of Delegation Legislation

Delegated Legislation is envisaged which is normal character.

PORVORIM, GOA
7th AUGUST, 2015

ROHAN A KHAUNTE
MLA

PORVORIM, GOA
7th AUGUST, 2015

N.B. SUBHEDAR
SECRETARY

ANNEXURE

The extract from the Goa Registration of Tourist Trade Act 1982 (Act No.10 of 1982)

6. Removal of the name from the Register._

(1) The prescribed authority may after affording a reasonable opportunity of being heard, by an order in writing, remove the name of a dealer from the register and cancel his certificate on any of the following grounds, namely._

(a) if he ceases to be a dealer;

(b) if he is convicted of any offence under Chapter XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding smuggling or profiteering or adulteration of food or drugs or corruption;

(c) if he is declared an insolvent by a Court of competent jurisdiction and has not been discharged;

(d) if any complaint of malpractice is received and proved against him.

(2) Any dealer whose name is removed from the register under subsection (1) shall forthwith cease to be a dealer.

7. Registration._ (1) Every person intending to operate a hotel in a tourist area shall, before operating it, apply for registration to the prescribed authority in the prescribed manner.

(2) Notwithstanding anything contained in sub-section (1), any person already operating a hotel in a tourist area on the date of notification under Clause (k) of section 2, shall apply for registration within three months from the aforesaid date.

(3) Every application made under sub-section (1) shall be disposed off within a period of three months from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.

8. Certificate of registration. the prescribed authority shall, unless registration is refused under section 9, direct that the name and the particulars of the hotel and the hotel-keeper be entered in the register maintained for the purpose and shall issue a certificate to the hotelkeeper in the prescribed form.

10. Removal of the name from the Register.

(1) The prescribed authority may, after giving an opportunity of being heard by an order in writing, remove the name of a hotel from the register and cancel its certificate on any of the following grounds, namely;

(a) if the hotel-keeper ceases to operate the hotel in the tourist area for which it is registered;

(b) if the hotel- keeper is convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption;

(c) if the hotel-keeper is declared an insolvent by a Court of competent jurisdiction and has not been discharged;

(d) if any complaint of malpractice is received and proved against a hotel-keeper.

(2) Any hotel the name of which is removed from the register under sub-section (1) shall forthwith cease to operate.

PORVORIM, GOA
7th AUGUST, 2015

N.B. SUBHEDAR
SECRETARY

