

GOA

Summary

- **Antyodaya Anna Yojana**
Extended the benefits of AAY (Food Grains) under Targeted Public Distribution System to People Living with HIV in subsidized price.
- **Free Road Transport**
50% concession to HIV/AIDS patients for travelling by KTCL Buses. Official Gazette to extend the benefit of concession travel in Kadamba Transport Corporation Ltd
- **Financial Support**
Financial assistance of Rs. 1000/- per month to People Living with HIV.
- **No discrimination against CLHIV**
Official Gazette for zero rejection for children affected and infected by HIV

No.DCS/3rd Exp/AAY/09/
Government of Goa,
Department of Civil Supplies and
Consumer Affairs,
Panaji-Goa.

Date: 18/06/2009.

To,
The Mandalardar of
Pernem/Bardcz/Saltari/Ponda/Bicholim
Tiswadi/Sangaem/Quepem/Cancona/
Salcete and Mormugao Taluka.

**Sub:- Extending the benefits of Antyodaya Anna Yojana (AAY)
Scheme under Targeted Public Distribution System (TPDS)
to HIV positive persons reg.....**

Sir,

Find enclosed herewith copy of letter No.13(15)/2009-PD-III
dated 03/06/2009. from Ministry of Consumer Affairs, Food and
Public Distribution, Government of India, New-Delhi.

In this connection you are informed to review the existing list of
AAY families, delete ineligible AAY families therefrom and include all
eligible BPL families of HIV positive persons in the AAY list on priority,
against the criteria mentioned in para 2(b) and 2(c) of the guideline.
for identification of AAY families under Antyodaya Anna Yojana.

Yours faithfully,

(Sunil P. Masurkar,
Director of Civil Supplies &
Consumer Affairs.

No. 1651...
 11.7.08...
 No. 3029
 Date: 30/6/08

No.4/2/2002/Tpt/1309
 Government of Goa,
 Directorate of Transport,
 Panaji-Goa.
 Dated:- 30th June, 2008

To
The Director,
Directorate of Social Welfare,
Panaji-Goa.

**Sub:- 50% concession to HIV AIDS patients for traveling
 by KTCL Buses.**

Sir,

In the Budget Speech 2008-2009, it has been proposed to give 50% concession to HIV AIDS patients for traveling by KTCL Buses. In view of the above, before necessary instructions are issued to KTCL, it will be expedient to examine and inform, as to what would be the documentary evidence that the KTCL Authorities would need to uniformly rely upon for the grant of the said concession. Accordingly, you may kindly work out the modalities if any, required for the same and inform us at the earliest.

Upon hearing from you, the necessary instructions would be passed on to KTCL for implementation.

(Handwritten signatures and initials)

Yours faithfully,
 Jacques
 (Sandip Jacques)
 Director of Transport

Copy to:-
 The Managing Director, Kadamba Transport Corporation Ltd., Paraiso de Goa,
 Panaji-Goa for needful.

(Handwritten signatures and initials)

GOVERNMENT OF GOA
GOVERNMENT OF GOA
Department of Social Welfare
Panaji
Tel. No. 2232253, 2233789
Fax No. 228172

Date: 23/04/2008

NOTIFICATION

1. Short title, commencement and applicability: - (i) These rules shall be called Goa (Dayanand Social Security Scheme) (Amendment) Rules, 2008.
(ii) They shall come into force with effect from 1st April, 2008.
(iii) They shall be applicable throughout the State of Goa.

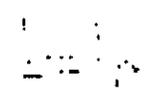
2. Amendment to Rule 4: (i) In Rule 4(c)(ii), the following words, letters, and figures shall be inserted "The Children with Disabilities will be entitled for financial assistance at the rate of Rs 1500/- per month."

(ii) In Rule 4(c)(e), the following words, letters, and figures shall be inserted "HIV AIDS patients will be entitled for financial assistance at the rate of Rs.1000/- per month "

(iii) In Rule 2(2) (e) the following words shall be inserted "Mental illness"

Explanation:-"Mental illness" means any mental disorder other than mental retardation. A person with mental illness will be entitled for financial assistance at the rate of Rs.1000/ p.m.

By order and in the name of
Governor of Goa.



(K. K. Velip Kankar)

Director of Social Welfare/
EX-Officio/Joint Secretary (Social Welfare)

KADAMBA TRANSPORT CORPORATION LTD.
Inward No. 2039
Date: 30/6/08

1651...
11/7/08...

No.4/2/2002/Tpt/1309
Government of Goa,
Directorate of Transport,
Panaji-Goa.
Dated:- 30th June, 2008

To
The Director,
Directorate of Social Welfare,
Panaji-Goa.

Sub:- 50% concession to HIV AIDS patients for traveling
by KTCL Buses.

Sir,

In the Budget Speech 2008-2009, it has been proposed to give 50% concession to HIV AIDS patients for traveling by KTCL Buses. In view of the above, before necessary instructions are issued to KTCL, it will be expedient to examine and inform, as to what would be the documentary evidence that the KTCL Authorities would need to uniformly rely upon for the grant of the said concession. Accordingly, you may kindly work out the modalities if any, required for the same and inform us at the earliest.

Upon hearing from you, the necessary instructions would be passed on to KTCL for implementation.

Yours faithfully,
Sandip Jacques
(Sandip Jacques)
Director of Transport

Copy to:-

The Managing Director, Kadamba Transport Corporation Ltd., Paraiso de Goa,
Porvorim-Goa for needful.

Shroten

7. The maximum amount of processing fee shall be limited to Rs. 50,000/- for each application.

8. The processing fee shall not be applicable to Government and Government aided Institutions.

The respective District level office/Taluka level office shall issue challan in respect of processing fees payable and applicant shall enclose a copy of receipt towards processing fees paid, along with application before submitting the same in respective office of the Town & Country Planning Department for inward.

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

S. T. Puttaraju, Chief Town Planner & ex officio Jt. Secretary.

Panaji, 23rd April, 2013.

◆◆◆
Department of Transport

Directorate of Transport

—
Notification

D.Tpt/Accts/KTCL-Subsidy/2013-14/1646

The Government of Goa is pleased to frame the "Scheme for release of subsidies to Kadamba Transport Corporation Ltd., towards social cost."

Preamble

Government of Goa has established State Road Transport Undertaking in October, 1980. The aim and object of the STU was to provide safe and reliable bus transport service to villagers and remote area people and students, thus to connect villages in the State to the cities and to villages where private bus operators were not ready to accept to provide bus services, being uneconomical and to stop the unfair practices and poor quality of services provided by private operators. **The service was extended with concessions to senior citizens, physically disabled, blind, veteran ladies, cancer patients, freedom fighters, students,**

HIV Aids Patients etc., as per directives of the Government. Kadamba Transport Corporation Limited operates around 200 to 250 kms. per day buses on intra-State routes to meet the demands of people in Goa.

For the above transport services, facilities to provide Kadamba Transport Corp. Ltd., has to sustain losses being not matching cost of operation with that amount of revenue earned. The rate of passenger fare for transport services on which the major portion of income is dependable is decided and fixed by the Government and therefore the Corporation has no scope to increase the rate of fare as per increase in cost of inputs and has to continue with operation of uneconomical transport services.

1. *Short title and commencement.*— (i) The scheme shall be called "Scheme for release of subsidy to KTCL towards social cost".

(ii) The scheme shall come into force from the date of its Notification in the Official Gazette."

2. *Objectives.*— The main objectives of the Scheme are as follows:—

(i) Kadamba Transport Corporation Limited shall operate social obligatory services for the benefit of people connecting villages with towns and cities in the State to aid, assist, promote, expedite and accelerate the development of communication and transport facilities throughout the State of Goa and services to the public at large.

(ii) KTCL shall extend services with concessions to senior citizens, physically disabled, blind, veteran ladies, cancer patients, freedom fighters, students, HIV Aids Patients etc., as per directives of the Government.

(iii) KTCL shall provide passenger amenities/facilities at all the bus stands in the State of Goa and carry out the maintenance and upkeep of these bus stands.

(iv) KTCL shall make necessary arrangement to provide buses to various

Government Departments and agencies as per the demand, against payment of prescribed charges.

(v) KTCL shall provide late night services, emergency services, support to the Disaster Management Cell in the State of Goa and any other services as per directions of the Government from time to time.

3. *Scope of the Scheme.*— The smooth running of Kadamba Transport Corporation Limited is very much essential to provide transport services as per the need of the people with the facilities of concessions extended as per directives of Government and for operation of transport services on inter-State routes in neighbouring States to facilitate the people for inter-State movements.

4. *Eligibility conditions under the Scheme.*— KTCL being a Government owned Organization, requires financial assistance of Rs. 250 lakhs towards monthly expenditure of operation of transport services which has been provided to the people of Goa with concessions to the various categories of people and as social obligatory, the revenue of which earned as per the fare fixed by the Government is not enough to meet expenditures of operations.

5. *Procedure for claiming Subsidy.*— (i) KTCL depending upon requirement of financial assistance from the State Government shall submit the proposal to the Transport Department for making provision in Annual Plan against Subsidy amounting to Rs. 3000 lakhs.

(ii) Once the Annual Plan is passed by the Legislative Assembly and assented to by the Governor, depending upon the need of the Corporation, the Corporation shall move a proposal to the Transport Department for releasing the amount of Rs. 3000 lakhs provided in the Annual Plan in four quarterly installments spread out over the financial year.

(iii) The Transport Department shall seek administrative approval and refer the matter

to the Finance Department for concurrence of the same and for releasing the amount to KTCL.

6. *Conditions for release of Subsidy to KTCL.*— (i) KTCL shall operate social obligatory services for social benefits connecting villages with towns and cities in the State and shall operate buses on inter-State routes in the neighbouring States.

(ii) KTCL shall assist, initiate, promote, expedite and accelerate the development of communication and transport facilities throughout the State of Goa at service to the public at large.

(iii) KTCL shall provide late night services, emergency services, support the disaster management cell in the State of Goa and any other services as per the directions of the Government from time to time.

(iv) KTCL shall extend concessional services to category passengers like senior citizens, freedom fighters, students, differently abled, blind, cancer, HIV patients etc., as per the directives and as notified by the Government from time to time.

(v) KTCL shall submit Utilization Certificate in the prescribed form after utilization of the amount of subsidy and before the release of next amount of subsidy installment, whichever is earlier.

(vi) KTCL shall submit an audited Statement of Accounts by a registered Chartered Accountant within a period of six months from the close of the Financial Year.

(vii) Non submission of Utilization certification or Audited Statement of Accounts or violation of terms and conditions, stipulated therein would act as disqualification for getting subsidy from the Government.

(viii) KTCL and its records shall be opened to inspection by the Directorate of Transport or his nominee at any point of time.

- (2) sections 18 to 47 (both inclusive);
- (3) sections 49 to 53 (both inclusive);
- (4) sections 55 to 58 (both inclusive);
- (5) sections 60 to 61.

[F.No. J-22018/46/2003-CSC(BC)]

DESH DEEPAK VERMA,
Joint Secretary



Department of Social Welfare
Directorate of Social Welfare

Notification

50/354/2002-03-HC/PART-I/4247

The Government of Goa is pleased to amend the Dayanand Social Security Scheme (DSSS) and the same is published in the Official Gazette for information of general public.

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

Meena Naik Goltekar, Director & ex officio Joint Secretary (Social Welfare).

Panaji, 22nd September, 2014.

“Dayanand Social Security Scheme”, an initiative under the “Freedom from Hunger Project”

1. Objective of the Scheme.— The objective of the Scheme is to provide Financial Assistance to the most vulnerable sections of society and include senior citizen, single women, disabled persons and HIV/AIDS Patient.

2. Short title, commencement and applicability.— (1) This Scheme shall be called “Dayanand Social Security Scheme”. Amended Scheme, 2013.

(2) This Scheme shall come into force with effect from the date of Notification in the Official Gazette.

3. Definition.— (1) “Beneficiary” means a person who is entitled for Financial Assistance under these Rules and includes single women, disabled persons and senior citizens, besides class of people listed in the objectives and others notified by Government from time to time.

(2) “Disability” means—

- (a) Blindness.
- (b) Hearing/Speech impairment.
- (c) Loco motor disability.
- (d) Mental retardation.
- (e) Mental illness.
- (f) Disability due to Neurological problem.
- (g) Autism.

(3) “Person with Disability” means any person suffering from not less than 40% of any disability indicated at sub-rule (2) above and as certified to that effect by the Medical Board.

(4) “Medical Board” means the Medical Board constituted by the Government vide Notification No. 13/140/87-PHD dated 20-07-1988 and such other Medical Board constituted and notified by the Government from time to time.

(5) “Notification” means a notification published in the Official Gazette.

(6) “Director” means the Director of Social Welfare, Panaji-Goa or any other officer discharging the duties of the Director.

(7) “Government” means the Government of Goa.

(8) “Sanctioning Committee” means the committee constituted by the Government for sanctioning financial assistance under this scheme.

(9) “Spouse” means legally married wife/ husband of the member.

(10) "Child" means a legitimate or adopted Child of the member/spouse, upto the age of 21 years.

(11) "Family" means wife/husband, and child/children of the applicant.*

(12) "Single Woman" means a woman who is above the age of 18 years and includes a widow divorcees, deserted or judicially separated women, and unmarried women above the age of 50.

(13) "Senior Citizen" means any person above the age of 60 years.

(14) "Scheme" means the Dayanand Social Security Scheme.

(15) "Marriage" means marriage by Civil Registration, Hindu Marriage Act, Islamic or any other.

(16) "Mental illness" means any mental disorder other than mental retardation.

4. *Application Procedure.*— The Application for the grant of Financial Assistance under the Scheme shall be made in the prescribed form in Appendix-I to the Director of Social welfare. Each application shall be accompanied by the following documents, namely:—

(i) *Birth Certificate:*- A Certificate issued by the Registrar of Births and Deaths or age as indicated in the School records or any other such valid documents showing the proof of age as notified by the Government.

(ii) *Income Certificate:*- Each applicant shall submit his/her family income certificate issued by competent authority. In case applicant is not in a position to obtain the Income Certificate from the competent authority, then the applicant should submit a Self Declaration on Rs. 20/- stamp paper in (ANNEXURE-A) duly certified and attested before a Gazetted Officer of the State Government.

(iii) *Residence Certificate:*- 15 years Residence Certificate issued by Mamlatdar of the concerned Taluka. Alternatively the applicant may submit the certificate in the

prescribed form ANNEXURE-B issued by the Gazetted Officer of the State Government certifying that the applicant is resident of Goa for the last 15 years.

(iv) *Medical Certificate:*- A Certificate in the prescribed form issued by the Medical Board in case of disabled persons.

(v) Death Certificate and Marriage Certificate of spouse in case the applicant is a widow and Decree of divorce in case the applicant is a divorcee. In case unmarried women above the age of 50 years, the applicant shall submit a self declaration on Rs. 20/- stamp paper as per the prescribed format form (ANNEXURE-C) and signed by Gazetted Officer of the State Government.

(vi) An attested copy of Ration Card.

(vii) An attested copy of Aadhar Card of the applicant.

(viii) An attested copy of the Election Photo Identity Card.

(ix) The applicant shall register themselves on payment of Rs. 200/- as registration fees. In case the applicant is unable to pay the registration fees than an amount of Rs. 50/- may be paid along with certificate in ANNEXURE-E issued by MLA/MP.

5. *General conditions.*— (i) Life Certificate: Every beneficiary shall submit Life Certificate to the Director of Social Welfare once in a year in the month of April/May in the prescribed format in (ANNEXURE-D) issued by the Manager of the Bank in which the beneficiaries monthly Financial Assistance is deposited or the Life Certificate issued by the Gazetted Officer of the State Government in the prescribed format. In case the beneficiary fails to submit the Life Certificate then the Financial Assistance sanctioned to him/her shall be discontinued.

(ii) Each beneficiary shall open single account in a Nationalized Bank or Co-operative Bank.

(iii) In case of Divorce and legal separation of a member, both the husband and wife will be treated as individual members, if they are individually eligible.

(iv) Annual family per capita income of the applicant shall be less than the amount of annual Financial Assistance under the Scheme.

(v) After the Death of the beneficiary, other spouse shall be entitled for Financial Assistance provided that he/she shall apply for transfer of Financial Assistance in the prescribed format (ANNEXURE-F).

(vi) 50 per cent of the Financial Assistance drawn by the spouse will be given, to a maximum of two children each, till they reach the age of 21 years in the event of death of the member and the spouse subject to the limit of Rs. 1000/- per child.

6. Benefits.— Senior citizen, single woman, adult disabled and immune deficient (HIV/ /AIDS) patients shall be eligible for Financial Assistance at the rate of Rs. 2000/- per month under the scheme and disabled children with disability less than 90% shall be entitled for the Financial Assistance of Rs. 2500/- per month and person with disabilities having 90% and above disability shall be entitled for the Financial Assistance of Rs. 3500/- per month subject to the fulfillment of required documents and general conditions provided that disabled children shall continue to get Financial Assistance indicated to the extent above even after they attain 21 years.

7. Medical Assistance.— Senior citizens covered under Dayanand Social Security Scheme, who are having medical problems requiring continuous medication as part of treatment on producing Medical Certificate from the Chief Medical Officer/Health Officers of the Health Department in the prescribed format as per ANNEXURE-G along with the application for claim of Medical Re-imbursment (ANNEXURE-H) will be eligible for availing the medical assistance of Rs. 500/- per month.

7(a). Financial Assistance to the persons with disability for purchases of aids and appliances.— Person with disabilities covered under Dayanand Social Security Scheme and who have medical problem requiring aids/appliances as a part of enabling Environment/Rehabilitation on producing Medical Certificate from the Chief Medical Officer/Health Officer of the Health Department in the prescribed format as per (ANNEXURE-I) along with application for Financial Assistance (ANNEXURE-J) shall be eligible for availing financial assistance of maximum upto Rs. 1,00,000 (Rupees one lakh only) once in a five year.

8. Sanction of Financial Assistance.— (i) The applications received shall be scrutinized by the Directorate of Social Welfare and the same will be sanctioned by the Sanctioning Committee.

(ii) The Sanctioning Committee shall comprise of the following.

Chief Minister — Chairperson.
Minister for Social Welfare — Member.
Leader of Opposition — Member.
Director of Social Welfare — Member.

9. Mode of payment.— (i) Financial assistance to the beneficiaries sanctioned by sanctioning authority shall be deposited in the Bank Account of the beneficiary by Director of Social Welfare every month.

10. Interpretation of Rules.— (i) The Sanctioning Committee's decision regarding the eligibility of beneficiary/member for the purpose of the Scheme shall be final and binding on all the parties concerned.

11. Stopping/Cancellation of the Financial Assistance.— Financial Assistance sanctioned under the Scheme shall be stopped/cancelled if:

(i) The beneficiary resorts to professional beginning.

(ii) The beneficiary under the rules is employed and his/her income exceeds the ceiling income prescribed in these rules.

9. *Interpretation of the provision of this scheme.*— If any question arises regarding the interpretation of any clause, word, expression of the scheme, the decision about the interpretation shall lie with the Government and the decision in this regard shall be final and binding on all concerned.

10. *Redressal of Grievances and Dispute.*— Grievances or any dispute if any, arising out of implementation of this scheme shall be addressed to the Secretary to the Government in charge of Science & Technology, who shall hear and decide such matters and the decision of the Secretary to the Government in this regard shall be final and binding on all concerned.

This issues with the administrative approval of the Government vide U. O. No. 337 dated 8-10-2015 and concurrence of the Finance (Exp) Department vide U. O. No. 1400021195 dated 2-2-2016.

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

Levinson J. Martins, Director & ex officio Jt. Secretary (ST&E).

Saligao, 11th April, 2016.



Department of Social Welfare

Directorate of Social Welfare

—
Notification

50-354-2002-03-HC/Part-II/106

Read: 50/354/2002-03-HC/Part-I/4247 dated 4th October, 2014.

The Government of Goa has approved the amendment to Dayanand Social Security Scheme (DSSS) and request to publish the same

in Official Gazette for general information of public. The Notification shall come into force from the publication in the Official Gazette.

1. *Short title, commencement and applicability.*— (i) These rules shall be called Goa Dayanand Social Security Scheme (Amendment) Rules, 2016.

(ii) They shall come into force w.e.f. publication of Notification in the Official Gazette.

(iii) They shall be applicable throughout the State of Goa.

In application procedure sub point (vi) attested copy of Ration Card stands withdrawn.

In rule 5 General condition after point 5 (vi), 5 (vii), 5 (viii) will be added and read as:—

5 (vii) in case of disabled and HIV positive children financial assistance will be extended even if the parents are availing DSSS or Griha Aadhar.

5 (viii) Disabled people who was availing DSSS benefit will be continued even after his/her marriage with disabled who is also DSSS beneficiary subject to the condition that they have not availed gainful employment.

In 'Appendix-I' point No. 8 stands withdrawn, in point No. 18C (ix) shall be substituted as (ix) certificate of legal guardianship in case of mentally retarded issued by competent authority only if guardian is other than parent.

'Annexure D' will be substituted with new 'Annexure D' by incorporating contact No., Aadhar No., Panchayat, Bank details and category of disabled.

Meena H. N. Goltekar, Director (Social Welfare).

Panaji, 7th April, 2016.

No. 50-354-2004-05-HC/PART I/
Government of Goa.
Directorate of Social Welfare
Panaji Goa
Tel. No. 2232257, 2223784
Fax. No. 2228172

Dated: 23/04/2008

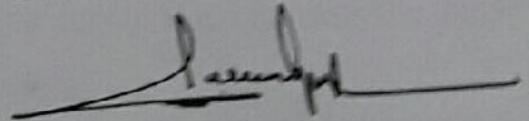
NOTIFICATION

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(ii) In Rule 4(c)(e), the following words, letters, and figures shall be inserted "HIV AIDS patients will be entitled for financial assistance at the rate of Rs.1000/- per month."
(iii) In Rule 2(2) (e) the following words shall be inserted "Mental illness"

Explanation:- "Mental illness" means any mental disorder other than mental retardation. A person with mental illness will be entitled for financial assistance at the rate of Rs.1000/- p.m.

By order and in the name of
Governor of Goa.



(P. K. Velip Kankar)

Director of Social Welfare/
EX-Officio/Joint Secretary (Social Welfare)

**The Goa Children's Act, 2003 and
Rules, 2004**

(r) “High risk” areas means those areas in which children are vulnerable to exploitation as notified by the Government in the Official Gazette;

(s) “Offence” means an act or omission made punishable under any law for the time being in force;

⁹[(t) “medical authority” means such authority as notified by the Government by order or notification published in the Official Gazette and whose certificate on the age of a child shall be conclusive evidence as to the age of the child to whom it relates;]

(u) “prescribed” means prescribed by rules under this Act;

¹⁰[(uu) “principle of best interest of child” means the principle which seeks to ensure the physical, emotional, intellectual, social and moral development of the child, and to provide him safe environment from all kinds of child abuse;”

(uv) “rape” means rape as defined in section 375 of the Indian Penal Code, 1860 (Act V of 1860);]

(v) “registered children’s home” means a children’s home which has been registered under this Act;

(w) “Secretary” means the Secretary to the Government in charge of the Department of Women and Child Development;

(x) “Sexual Offence” covers all forms of sexual abuse which constitute offences under this Act;

(y) ‘Sexual offences’ for the purposes of awarding appropriate punitive action means and includes,—

¹¹[(i) “Grave Sexual Assault” which covers different types of intercourse; vaginal or oral or anal, use of objects with children, forcing minors to have sex with each other, deliberately causing injury to the sexual organs of children, making children pose for pornographic photos or films, and also includes rape;]

(ii) Sexual Assault which covers sexual touching with the use of any body part or object, voyeurism, exhibitionism, showing pornographic pictures or films to minors, making children watch others engaged in sexual activity, issuing of threats to sexually abuse a minor, verbally abusing a minor using vulgar and obscene language;

(iii) Incest which is the commission of a sexual offence by an adult on a child who is a relative or is related by ties of adoption.

(z) “child trafficking” means the procurement, recruitment, transportation, transfer, harbouring or ¹²[receipt of children] legally or illegally, within or across borders, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of giving or receiving payments or benefits to achieve the consent of a person having control over another person, for monetary gain or otherwise.

⁹ substituted by Goa Children’s (Amendment) Act, 2005 [Act No. 20 of 2005].

¹⁰ Clause “uu” and “uv” inserted by Goa Children’s (Amendment) Act, 2005 [Act No. 20 of 2005].

¹¹ Substituted by Goa Children’s (Amendment) Act, 2005 [Act No. 20 of 2005].

¹² Substituted by Goa Children’s (Amendment) Act, 2005 [Act No. 20 of 2005].

(za) 'Differently Abled Children' includes children with disabilities, learning difficulties and associated disorders like Autism.

¹³[(zb) The words "complaint", "bailable offence", "non-bailable offence", "cognizable offence", "charge-sheet", "police report", "warrant", "search warrant", "remand", "trial", "Judicial Magistrate", "District Magistrate", "offence", "compounding", "officer in charge of Police Station" and "Cognizance" shall have the same meaning as assigned to them under the Code of Criminal Procedure, 1973 (Act 2 of 1974).]

3. Rights of the Child.— (1) ¹⁴[The State shall ensure that children are protected from child abuse, sexual offences, child trafficking, child prostitution and violation of their rights] against exploitation and that they are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity.

¹⁵[(2)] omitted

(3) The State shall promote with special care the educational interests of children from the weaker sections of society including the Scheduled Castes and Scheduled Tribes.

(4) The State shall regard the raising of the level of nutrition and the standard of living as well as the improvement of public health as among its primary duties.

(5) The provisions of the Convention of the Rights of the Child as acceded to by the Government of India are hereby declared to be part of the law of the land and it shall be the duty and responsibility of the State Government to respect and ensure that the Rights of the Child as declared and enumerated in the Convention, are protected and guaranteed to every child within the territory of Goa.

(6) For the proper implementation of the Rights of the Child included in the Convention and to prevent any discrimination, exploitation or abuse of the child on any ground, government shall take adequate measures;

(7) All the authorities, whether public or private, ¹⁶[] shall, while undertaking any action concerning children, take the best interest of the child as the primary consideration.

(8) The provisions of the Convention on the Rights of the Child are taken as rights of the child in Goa and are legally enforceable, except where they pertain to the central government or to any other authority which is outside the purview of the state government provided that nothing in this section shall restrain the government from specifying higher standards for children.

4. Education.— (1) That State shall endeavor to promote holistic education. Universal application of joyful learning processes should be ensured.

(2) The State accepts the concept of zero rejection for children. No child shall therefore be denied admission to any school on any ground including that the name of the father is not available; the absence of relevant documentation; the child is suffering from

¹³ Inserted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

¹⁴ Substituted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

¹⁵ Omitted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

¹⁶ The words "social welfare institutions, or legislative bodies" omitted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

HIV or AIDS; belongs to marginalized communities; suffers from any illness or that the child is differently abled.

(3)¹⁷[Counseling facilities by trained personnel shall be provided to the child in all schools];

(4) All schools ¹⁸[shall preferably include] child rights and gender justice in their curriculum and at least 48 hours of instruction every year shall be exclusively devoted to teaching and discussing all matters related to these. The duties of the child should also be discussed during these sessions. This will apply to all students from Standard V and above.

(5) The school curriculum ¹⁹[shall preferably also include] health awareness including malaria, AIDS, personal hygiene, nutrition, family life education, communicable diseases, alcoholism, substance abuse, ²⁰[sexuality education,] etc. irrespective of the stream of education. This will apply to all students from Standard V and above.

(6) Health applied education towards holistic health shall be ²¹[preferably] included in all schools with, among other things, yoga, pranayama and meditation, in the physical education curriculum. This will apply to all students.

(7) All schools shall have ²²[] mechanism such as School Parliament to foster participatory democratic processes. This will apply to all students from Standard VIII and above.

(8) The Government ²³[shall strive to work] towards the goal of universal elementary education and eradication of child illiteracy within a period of ²⁴[seven years] from the commencement of this Act. The State shall prepare a comprehensive Plan of Action for achieving this which may include provision for alternate schooling including non-formal education, vocational and livelihood- skills training, and shall create the necessary infrastructure and an enabling environment in order to realise the goal.

(9) The State shall lay down guidelines for early childhood care and education and for all pre-school educational institutions for children, including registration and regulation of standards.

(10) Every school shall have safe drinking water, toilet facilities and adequate physical infrastructure ²⁵[including barrier free access].

(11) Every school shall be equipped with appropriate and adequate teaching aids.

(12) Corporal punishment is banned in all schools.

¹⁷ Substituted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

¹⁸ Substituted in place of "shall include" by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

¹⁹ Substituted in place of words "shall also include" by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

²⁰ Inserted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

²¹ Substituted in place of words "compulsorily" by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

²² The words "elected Students Councils or any other" omitted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

²³ Substituted in place of words "shall work" by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

²⁴ In place of words "three years" substituted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

²⁵ Inserted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

(13) The State shall, in the manner prescribed, provide support to all children with disabilities and challenges.

(14) A participatory evaluation and learning process rather than the exam system based on learning by rote and ensuring that all children have attained minimum levels of learning should be evolved.

²⁶ [(15) Any contravention or non-adherence of the provisions of this section shall be dealt with by the Competent Authority only and shall be punishable with a fine which may extend to Rs. 50,000/-.]

5. Health & Nutrition.— (1) Mandatory immunisation with MMR vaccine in children, Rubella vaccine in adolescent in girls and Hepatitis B vaccine in infancy should be introduced ²⁷[in a phased manner] as part of the on going ²⁸[free Immunisation programme] of the State.

(2) The State shall endeavour to make possible Maternity leave of 6 months in all sectors of employment including for adoptive mothers and single parents.

(3) Creches and day care centers for infants and children of working mothers in all sectors of employment ²⁹[may] be set up at the work site or close to the same, in cities and villages, to the maximum extent of available resources.

(4) The State should ensure the creation and maintenance of comprehensive Health cards inclusive of growth and developmental, immunisation and other records for all infants and children including those in crèches, homes and schools, and migrant children.

(5) **The State shall seek to provide for palliative and terminal care for infants and children with life threatening and terminal illnesses like cancer and HIV/AIDS.**

(6) That State shall take effective steps so that parents do not transmit the HIV virus to their child.

(7) It shall be the duty of all individuals, organizations, institutions etc., to keep their immediate environment clean and free of garbage, faeces, and other items harmful to children. Non-observance of the provisions of this sub-section will carry a penalty which may range from Rs. 100/- to Rs. 1000/-.

(8) The State shall strive to reach higher standards for children by protecting them from malaria and from all avoidable illness and diseases.

(9) Special provisions shall be made for the treatment, education and integration of all children with leprosy.

(10) Special attention shall be given to issues of substance ³⁰[psycho – social well being] drug and alcohol abuse in children.

²⁶ Inserted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005]

²⁷ Inserted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005]

²⁸ In place of words "immunisation programme" substituted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005]

²⁹ In place of words "should" substituted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005]

³⁰ Inserted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

³¹[(11) No medical institution or clinic or hospital or nursing home shall reject admission or treatment of a child or pregnant mother who has any illness or disease or ailment which has a social stigma attached with it, such as Leprosy, AIDS, etc.]

(12) Any contravention or non-adherence of the provisions of this section, except for sub-section (7), shall be dealt with by the Competent Authority only and shall be punishable with a fine which may extend to Rs. 50,000/-.]

6. Children's Homes.— (1) All Children's Homes must be registered under this Act. Such Children's Homes as have already been set up prior to the commencement of this Act shall apply and must register themselves with the Director in the prescribed form within three months from the commencement of this Act.

(2) The provisions of this section shall not apply to:—

(a) any hostel, etc., directly regulated by a recognised educational institution;

(b) any school, home, or any other institution for children which is recognized by any other Act in force in the State;

(3) The State shall set up District Inspection Teams for the regulation, supervision and control of all Children's Homes in the State.

(4) The members of the District Inspection Team shall be appointed by the Secretary;

(5) The term of Office of a Member of the District Inspection Team shall be two years.

(6) A Member may at any time resign by giving notice in writing to the Secretary. The vacancy so created shall be filled in by the Secretary within two months.

(7) If, for any reason, the State Government considers it necessary to remove a Member, then it shall do so after recording its reasons in writing.

(8) On and from the commencement of this Act, no person shall maintain or conduct any Home except under, and in accordance with, the conditions of a certificate of registration granted under this Act.

(9) Every person desiring to maintain or run a home shall make an application for a certificate of registration to the Director in such form and containing such particulars as may be prescribed ³²[and the Director shall forward the applications to the District Inspection Team for inspection of such Children Home and checking of all other requirements]

(10) Provided that a person maintaining or conducting a home at the commencement of this Act shall be allowed a period of three months from such commencement to apply for such certificate get themselves registered under this Act.

(11) ³³[The District Inspection Team shall, after scrutiny of application form and after checking all other requirements, forward its report to the Director. The Director shall

³¹ Sub-section 11 and 12 Inserted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

³² Inserted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].

³³ Substituted by Goa Children's (Amendment) Act, 2005 [Act No. 20 of 2005].