

## **Goa, Daman And Diu Registration Of Tourist Trade Rules, 1985**

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## **Goa, Daman And Diu Registration Of Tourist Trade Rules, 1985**

Whereas certain draft rules, which the Government of Goa, Daman and Diu proposed to make in exercise of the powers conferred by sub-section (1) of section 42 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (10 of 1982), were published as required by sub-section (3) of section 42 of the said Act in the Official Gazette No. 9, Series I dated 31-5-1984 under Notification No. 5-16/81/WET dated 24-4-1984 of the Works, Education and Tourism Department, Government of Goa, Daman and Diu inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of 30 days from the date of the publication of the said Notification in the Official Gazette; And whereas the said Gazette was made available to the public on 31-5-1984; And whereas the suggestions and objections received from the public on the said draft have been considered by the Government. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 42 of the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (10 of 1982), the

Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules.

**1. Short Title And Commencement :-**

(1) These rules may be called the Goa, Daman and Diu Registration of Tourist Trade Rules, 1985.

(2) They shall come into force at once.

**2. Definitions :-**

In these rules, unless the context otherwise requires,-

(a) Act means the Goa, Daman and Diu Registration of Tourist Trade Act, 1982 (10 of 1982);

(b) Form means a form appended to these rules;

(c) Register means the register of dealers, the register of travel agents or the register of hotel-keepers, as may be relevant in the context under these rules;

(d) Section means a section of the Act.

(e) All words used but not defined herein shall have the meanings respectively assigned to them in the Act.

**3. Registration Of Dealers, Hotel-Keepers And Travel Agents :-**

(1) An application for registration by a person intending to carry on the business as a dealer or hotel-keeper or a travel agent under the Act shall be submitted to the prescribed authority in Form I, Form II or Form III, as the case may be, alongwith a treasury challan under which fees as laid down hereunder have been paid."

**Category Fees**

(i) Dealer ... .. Rs. 200/- per year.

(ii) Hotel-keeper ... .. Rs. 600/- per year for A Category.

Rs. 400/- per year for B Category.

Rs. 300/- per year for C Category.

Rs. 200/- per year for D Category.

Explanation. -The criteria fixed for the categorisation of the hotels are contained in Annexure A to these rules.

(iii) Travel Agents ... .. Rs. 300/- per year for travel agents conforming to the standards laid down in rule 9.

Rs. 200/- per year for other travel agents like excursion agents, tourist guides, etc."

(2) The prescribed authority shall, on receipt of the application alongwith the treasury challan, acknowledge or cause the acknowledgement of the receipt thereof indicating the date of their

receipt.

(3) On receipt of the application, the prescribed authority shall scrutinise it and if registration is not refused under section 5 or section 9 or section 16, as the case may be, it shall enter or cause the contents of the application entered in the register. It shall in case of tourist boats and launches, travel and excursion agents intimate the applicant for causing a spot inspection by an Inspecting Team or an Officer on any convenient date. After inspection, if the inspecting team, or the Officer is satisfied that its up-keep is of the requisite standard, a certificate of registration in Form IV or Form V or Form VI, as the case may be, shall be issued to the applicant.

(4) If the prescribed authority proposes to refuse to register the applicant as a dealer, a hotel-keeper or a travel agent under section 5, section 9 or section 16, as the case may be, he shall serve upon the applicant a notice indicating the grounds on which the registration is proposed to be refused and asking the applicant to submit his objection, if any, either by himself or through his authorised agent regarding the contemplated order or refusal within a period of ten days from the date of receipt of the notice.

(5) If the prescribed authority does not receive a reply to the notice issued under sub- -rule (4) within the stipulated time, or after considering the objection, or if the applicant requests to be heard in person, after hearing him, is of the opinion that the objections or submissions made by the applicant are not satisfactory, he shall pass an order refusing registration and communicate the order to the applicant. Sub-rule (1) of rule 3 has been substituted by (Amendment) Rules, 1998 (O. G. Series I No. 52 dated 25-3-1998). The same has earlier been amended by (Amendment) Rules, 1996.

(6) Every certificate shall be valid for a period of one year from the date of its issue. An application for renewal of the certificate shall be submitted in Form I, Form II or Form III, as the case maybe, and the foregoing provisions, mutatis mutandis, shall apply. Every such application shall be accompanied by a treasury challan under which the prescribed fee has been paid.

#### **4. Cancellation Of Certificate :-**

(1) If, at any time, after a person is registered as a dealer, a hotel-keeper, or a travel agent under the Act, the prescribed authority is satisfied that the dealer, the hotel-keeper or the travel agent has

incurred any of the disqualifications mentioned in section 6, section 10, or section 17, as the case may be, he may serve a notice on him indicating the grounds on which it is proposed to remove his name from the register and requiring him to show cause within fifteen days from the date of receipt of such notice as to why his name should not be removed from the register and the certificate be cancelled.

(2) If the prescribed authority after considering his reply, or if the applicant requests to be heard in person, after hearing him, is of the opinion that the explanation tendered or submissions made by the dealer, the hotel-keeper or the travel agent, as the case may be, is not satisfactory, he shall pass an order removing his name from the register and cancel his certificate of registration and direct him to surrender the certificate for cancellation. Every such order shall be communicated to the dealer, the hotel-keeper or the travel agent, as the case may be.

(3) On surrender of the certificate, it shall be marked with the sign of cross in red colour endorsing thereon, "Removed under Order No. ... dated ..." and the endorsement shall then be recorded on the relevant page of the register.

#### **5. Notice To Be Sent By Registered Post :-**

Every notice or order issued or communicated under the foregoing rules shall be sent by registered post acknowledgement due at the address of the dealer, the hotel-keeper or the travel agent, as shown in the application form and such notice or order, as the case may be, shall be deemed to have been communicated when so despatched.

#### **6. Order To Be Published In Official Gazette :-**

Every order passed by the prescribed authority under these rules shall be published in the Official Gazette.

#### **7. Maintenance Of Books And Registers By Dealer :-**

Every dealer shall, from the date of his registration, maintain the following books and registers in such form as may be prescribed and approved by the prescribed authority or such other Officer as may be authorised by him in this behalf, namely:-

- (1) Register or order book in Form X.
- (2) Bill Book duly numbered.
- (3) Cash memo book duly numbered.
- (4) Receipt book showing receipts of amount, paid or advances received, alongwith the dates.

## **8. Maintenance Of Register By Travel Agents :-**

Every travel agent shall, from the date of his registration, maintain a register approved by the prescribed authority, containing the following particulars, namely:-

- (i) Serial Number.
- (ii) Date and time.
- (iii) Number and names of the tourists received.
- (iv) Name of the place of their destination.
- (v) Duration of their stay.
- (vi) Name of the travel agent.
- (vii) Name of the hotel/houseboat/tent/private accommodation (name with locations) to which transferred.
- (viii) Number of the tourists in a party.
- (ix) Amount paid as advance.
- (x) Method of recovery of the balance amount.
- (xi) Bill number and date.
- (xii) Receipt number and date.
- (xiii) Name of the approved Tourist Guide.

(2) Every travel agent shall display on a notice board at the entrance of his office or at the reception counter, the following information:-

- (i) Printed tariff without any mutilations or over-writing.
- (ii) Printed itinerary without any mutilations or over-writing.

## **9. Classification Of Travel Agents :-**

The prescribed authority may, after giving a reasonable opportunity of being heard, by an order, classify the travel agents as belonging to class A, class B, class C or class D having due regard to the capital amount invested, location, general condition, conduct, tourist vehicles owned, reputation/amenities, efficiency, recognition by Airlines/Carriers acting for the promotion of the tourist traffic in the Union Territory, active involvement in the publicity of the tourism, etc. within and outside the Union Territory of Goa, Daman and Diu.

## **10. Information To Be Displayed On Notice Board :-**

(1) Every hotel-keeper shall display on a notice board in respect of his hotel at the entrance of the hotel or at the reception counter, the following information, namely:-

- (a) Total accommodation available.
- (b) Tourist register in Form XI.
- (c) Accommodation reserved by previous booking.

- (d) Accommodation available on a particular day.
- (e) Rates of eatables/extra bedding, room service, etc. provided by the hotel.
- (2) Every hotel-keeper shall maintain the following books and registers duly prescribed and approved by the prescribed authority, namely:-
  - (a) Complaint book.
  - (b) Tourist register in Form XI.
  - (c) Cash memo.
  - (d) Bill book duly numbered.
  - (e) Receipt book duly numbered.
  - (f) Register of advance booking with advance money received.
  - (g) The name of the person or concern with the address from where order is received.

### **11. Classification Of Hotels :-**

The prescribed authority shall, having due regard to the location, standard, structure, quality of food, accommodation facilities, service amenities and general conditions, etc. and after holding an inspection of the hotel in the presence of the hotel-keeper, and holding such inquiry as deemed fit and after hearing the hotelkeeper, classify the hotels in different categories.

### **12. Issuance Of Duplicate Certificate :-**

If the certificate issued under these rules is lost, damaged or destroyed and the certificate holder desires to have a duplicate, he shall submit an application in Form XII with a fee of rupees ten and the prescribed authority, after holding such enquiry as he deems fit, and after hearing him as to the genuineness of his statement, may issue a duplicate certificate to the applicant. If the prescribed authority refuses to issue a duplicate certificate he shall inform the decision to the applicant in writing indicating the grounds for such refusal.

### **13. Reservation And Allotment Of Mooring Sites :-**

An application for reservation and allotment of boats shall be submitted to the prescribed authority in Form XIII with the fee as may be notified in the Official Gazette from time to time.

### **14. Registration Of Persons Carrying On Business Of Plying Boats Etc :-**

- (1) Every person intending to carry on in a tourist area the business of putting or plying for hire boats, tourist taxis, motor-

launches surf-rides, water-skiing, camping, equipment and porters shall have to register himself for carrying on such business. 13["(2) An application for registration shall be submitted to the prescribed authority in Form XIV, with a treasury challan under which fees as laid down hereunder are paid. The certificate of registration shall be in Form VI.

(1) Tourist boat and launches. ... .. Rs. 200/-

(2) Tourist Taxi. ... .. Rs. 120/-

(3) Tents and tent equipment dealer. ... .. Rs. 80/-

(4) Camping agency. ... .. Rs. 80/-

(5) Porter ... .. Rs. 40/-"] 14["(3) Every porter registered under sub-rule (2) shall wear a shirt having blue colour and a badge issued by the prescribed authority, while carrying on business in the specified tourist area.".]

15[(4)] the rates for hiring tourist boats and launches, tents and tent equipment, camp and camping equipment, shall be fixed by the prescribed authority from time to time and such rates shall be published in the Official Gazette. The person engaged in any of the aforesaid business shall display the said rates at the entrance of his office or at the reception counter or at the place from where the boat, taxi etc. are kept for hiring. 7[(5)] The provisions of rule 3 relating to registration and renewal of registration and rule 4 relating to cancellation of registration shall, mutatis mutandis, apply to registration, renewal of registration and cancellation of registration under the rule.