

done in good faith. Similarly, in the event of injury to or death of a member during prevention or detection of a forest offence, he will be entitled to the same benefits as available to forest staff.

(10) Powers and Duties of Forest Officer:

The powers and responsibilities of the district level forest officer shall be as under. In the absence of anything to the contrary specified in this resolution, the said powers can be delegated to an officer not inferior to a RFO.

10.1 Powers

a. Specifying area for the committees according to clause 5.1.

b. Approval of the microplan.

c. Examination of the rules related to the committee's accounts and distribution of forest produce and other benefits among committee members.

d. The forest officer may dissolve the committee and terminate the Memorandum of Understanding if the committee does not discharge its duty according to para 9.2 and corrective measures are not taken by the committee even after a written warning by the forest officer. Under such circumstances, the committee shall lose its entitlement to receive benefits under section 9.1.

10.2 Duties

i) Organise meeting at village level for the constitution of the committee as per clause 3.1.

ii) Registration of the committee.

iii) Supervise elections of the committee and EC.

iv) To provide training and technical help to the committee members in the preparation and implementation of the microplan.

v) To provide financial resources according to clause 6.3 for works included in the microplan and establish co-ordination with other departments for items mentioned in section 6.4.

vi) To assist the committee in discharging its duties and in monitoring and evaluation and to help in resolving internal differences.

vii) Monitoring and evaluation of works done by the committee.

viii) Designating an agency for the annual audit of committee's accounts and getting accounts audited through this agency.

ix) Provide forest produce and other benefits from the area allotted to committee according to sub section (i) to (iii) of section 9.1.

x) To ensure adequate participation of weaker sections of the committee, especially women, in committee's decisions and benefit sharing.

(11) Appeal:

i) Appeal against an order passed for terminating membership of a person under sub clause (viii) of the section 9.1 within one month from the date of order, to an officer of the rank of a RFO having territorial jurisdiction in that area.

ii) Appeal against the order of the Forest Officer to disband the committee can be made, within one month from the date of order, to the Federation constituted under clause 3.3.

iii) The decision of the appellate authority shall be final.

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

V. R. Ghaisas, Under Secretary (Forests).

Panaji, 6th March, 2003.



Department of Science & Technology

Notification

LS/MISC/1915/96/Part I/1395

Whereas the draft of the Goa Non-Biodegradable Garbage (Control) (Amendment) Rules, 2002, was published as required by section

17 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997), at pages 925-926 of the Official Gazette, Series I No. 40, dated 2-1-2003 under Notification No. LS/MISC/1915/96/Part I/1060 dated 23-12-2002, of the Department of Science, Technology and Environment (DSTE), inviting suggestions/objections from all persons likely to be affected thereby, before the expiry of 15 days from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazette was made available to the public on 2-1-2003;

And whereas suggestions/objections received from the public, etc. on the said draft rules have been considered by the Government.

Now, therefore, in exercise of the powers conferred by section 17 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997), the Government of Goa hereby makes the following rules, so as to amend the Goa Non-Biodegradable Garbage (Control) Rules, 1997, as follows, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa Non-Biodegradable Garbage (Control) (Amendment) Rules, 2003.

(2) They shall come into force at once.

2. *Amendment of rule 2.*— In rule 2 of the Goa Non-Biodegradable Garbage (Control) Rules, 1997 (hereinafter called as the "principal Rules"), after clause (d), the following clause shall be inserted, namely:—

"(dd) "garbage/waste" means all types of garbage/waste including biodegradable garbage, non-biodegradable garbage, bio-medical/clinical waste as well as commodities, such as non-biodegradable plastic 'bags/packaging material' prohibited under sub-section (h) of section 7 of the Act;"

3. *Amendment of rule 11.*— In rule 11 of the principal Rules, for sub-rule (1), the following shall be substituted, namely:—

"(1) For the purpose of implementation of the provisions of the Act and these rules, the

members of the Garbage Management Committee as also Collectors, Deputy Collectors, Mamlatdars, Joint Mamlatdars, Excise Inspectors, Police Sub-Inspectors, Panchayat Secretaries, Chief Officers, Municipal Engineers, Sanitary Inspectors and Municipal Inspectors of all the Municipal Councils of the State of Goa, may, at any reasonable time do any or all of the following acts, namely:—

(a) enter and inspect any place to determine:

(i) the extent, if any, to which any garbage/waste may cause, is causing or has caused any adverse effect;

(ii) the cause of any adverse effect that may occur, is occurring or has occurred;

(iii) how an adverse effect may be prevented, eliminated, reduced or ameliorated and the environment conserved or reclaimed;

(b) when the aforesaid authority reasonably believes that any garbage/waste may release, is releasing or has released into the environment or a place of public view, or that garbage/waste may cause, is causing or has caused any adverse effect, require the person having charge, management or control of the garbage/waste to remove the garbage/waste or cause it to be removed from where it is found and deposited in a place designated for that purpose under rule 5.

(c) enter and inspect any place in which the aforesaid authority reasonably believes that any garbage/waste may be found and, if so found, seize and cause it to be removed from where it is found and deposited, at the cost of the occupier, in a place designated for that purpose under rule 5, for further disposal as provided under rule 10".

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

Dr. N. P. S. Varde, Director/Joint Secretary (STE).

Panaji, 24th March, 2003.