

The Goa Public Health (Amendment) Bill, 2014

(Bill No. 16 of 2014)

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BILL

further to amend the Goa, Daman and Diu Public Health Act, 1985 (Act 25 of 1985).

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

1. Short title and commencement.— (1) This Act may be called the Goa Public Health (Amendment) Act, 2014.

(2) It shall come into force at once.

2. Amendment of section 29.— In section 29 of the Goa, Daman and Diu Public Health Act, 1985 (Act 25 of 1985) (hereinafter referred to as the “principal Act”), in sub-section (2), the expression “(excluding therapeutic massage)” shall be omitted.

3. Insertion of new sections 29A, 29B and 29C.— After section 29 of the principal Act, the following sections shall be inserted, namely:—

“29A. Inspection of Massage Parlour/Spa.—

(1) The Health Officer or any Officer not below the rank of Deputy Superintendent of Police as may be authorized by the Government, shall, from time to time, inspect the massage parlour/spa or any establishment or premises wherein massage parlour/spa is being run and also the registers that are required to be maintained by them under this Act. The person in-charge of massage parlour/spa shall, at all time, allow

such officer to carry out such inspection. If upon inspection, the massage parlour/spa is found being run in contravention of the provisions of this Act or the rules framed thereunder, such Officer shall immediately inform about such contravention to the Collector, who shall immediately take all the steps for closure of massage parlour/spa and send all the details thereof to the Director who shall after affording reasonable opportunity of being heard pass such order as he may deem fit in the matter.

(2) No officer referred to in sub-section (1) shall enter any room or area of the massage parlour/spa where the massage is being carried out without prior notice.

29B. Penalty for non-registration.— A massage parlour/spa running without registering shall be liable to a fine of Rs. 20,000/- (Rupees twenty thousand only) or any amount as notified by the Government from time to time.

29C. Registration of masseur/therapists.—
(1) No massage parlour/spa shall employ a masseur/therapist, unless he/she holds a certificate of registration issued under sub-section (2), and a medical fitness certificate issued by the Government Hospital.

(2) Every person who desires to work as a masseur/therapist in a massage parlour/spa shall apply to such officer, in such form and accompanied with such fee, as may be prescribed, for grant of a certificate of registration.

(3) The officer, on receipt of an application under sub-section (2), shall, after conducting such inquiry as he deems fit, within a period of thirty

days from the date of receipt of such application, either grant or refuse to grant a certificate of registration. Every order of refusal to grant certificate of registration shall be in writing. In case of refusal to grant such certificate, the applicant may file an appeal to the Director.

(4) The certificate of registration to be granted under sub-section (3) shall be in the prescribed form and shall be valid for a period of two years from the date of its issue and renewable for the same period thereafter. Before expiry of such certificate, the masseur/therapist shall get his certificate of registration renewed on payment of such fee as may be prescribed.

(5) Every officer referred to in sub-section (2) shall maintain a register of registered masseurs/therapists.

(6) If any masseur/therapist is found working in any massage parlour/spa without a valid certificate of registration, he shall be liable to a fine of Rs. 5,000/- (Rupees five thousand only) or any amount as notified by the Government from time to time, and the owner of such massage parlour/spa also shall be liable to a fine of Rs. 10,000/- (Rupees ten thousand only) or any amount as notified by the Government from time to time.”.

4. Amendment of section 54.— In section 54 of the principal Act, in sub-section (1), for clause (c), the following clause shall be substituted, namely:—“(c) any hotel, hostel, boarding house, choultry, rest-house, club, or massage parlour/spa, or”.

5. Substitution of section 75A.— For section 75A of the principal Act, the following section shall be substituted, namely:—

“75A. Builder and contractor to get employees screened.— (1) No builder and/or contractor shall employ any employee/labourer at the construction site unless the builder and/or contractor gets such employee/labourer duly screened for malaria at the nearest Health Center or at Mobile squad of National Malaria Eradication Programme. Similar screening for malaria shall be done once in every three months.

(2) The Health Officer/Medical Officer of the Health Centre/Mobile squad shall, after screening any employee/labourer for malaria and other sickness, issue a health card containing the photograph of the employee/labourer and a certification as regards the health status of the employee/labourer so screened.

(3) Whenever demanded by the Health Officer, the builder/contractor or employee/labourer shall produce such health card.”.

6. Amendment of section 75AA.— In section 75AA of the principal Act,—

- (i) in sub-section (1), for the letters and figures “Rs. 1000/-” and “Rs. 50/-”, the letters and figures “Rs. 10,000/-” and “Rs. 500/-” shall be respectively substituted;
- (ii) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) In the event of the contravention of the provisions of section 75A of this Act continuing beyond a period of fifteen days from the date of imposition of daily fine of Rs. 500/- under sub-section (1), the Health Officer shall request the concerned local authority to suspend or

cancel the construction licence issued to the builder/contractor till such time the contravention continues and the concerned local authority shall act accordingly and the builder/contractor shall, upon conviction, be punishable with imprisonment for a term which shall not be less than three months but which may extend to six months.”.

7. Insertion of new section 94D.— Section 94D of the principal Act shall be re-numbered as section 94E and before section 94E as so re-numbered, the following section shall be inserted, namely:—

“94D. Compliance with other laws.- Every person, establishment, undertaking and organization shall, comply with the provisions of all allied laws as in force in the State of Goa relating to collection, processing and disposal of solid waste, biodegradable and non-biodegradable garbage, and also make payment of fee, cess or any other levy, due under such laws, and even though such fees, cess including green cess and/or any other dues are levied as notified under such laws, the same shall be deemed to be levied and notified under this Act .”.

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The Bill has been passed by the Legislative
Assembly of the State of Goa on 20th August, 2014.

Dated:

Speaker

I assent to this Bill.

Dated:

Governor



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

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(Amendment) Bill, 2014**

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(As passed by the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT,
ASSEMBLY HALL, PORVORIM, GOA
AUGUST, 2014**

