



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Public Health
(Amendment) Bill, 2008**

(Bill No. 13 of 2008)

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

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM-GOA**

MARCH, 2008

The Goa Public Health (Amendment) Bill, 2008

(BILL No. 13 of 2008)

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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 the State of Goa in the Fifty-ninth Year of Republic of India, as follows.—

1. *Short title and commencement.*— (1) This Act may be called the Goa Public Health (Amendment) Act, 2008.

(2) It shall come into force on such date as the Government may, by Notification in the Official Gazette, appoint.

2. *Amendment of section 3.*— In section 3 of the Goa, Daman and Diu Public Health Act, 1985(Act 25 of 1985)(hereinafter referred to as the "principal Act"), —

(i) in sub-section(1), for clause(a) to (f) the following clauses shall be substituted, namely:-

- a) the Chief Secretary of Goa;
- b) the Secretary (Health);
- c) the Law Secretary;

- d) the Collector, North (North Goa District);
- e) the Collector, South (South Goa District);
- f) the Principal Chief Engineer, PWD;
- g) the Superintendent of Police, North (North Goa District);
- h) the Superintendent of Police, South (South Goa District);
- i) the Director of Municipal Administration;
- j) the Director of Panchayats; and
- k) three persons having special knowledge of matters relating to Public Health or Public engineering.

(ii) in sub-section (3), for the expression " the Minister for Public Health", the expression, " the Chief Secretary of Goa" shall be substituted.

3. *Amendment of section 29.*— In section 29 of the principal Act, in sub-section(2), after the expression "workshop", the figures and expression, "massage parlour/SPAS(excluding therapeutic massage) or any other like service" shall be inserted.

4. *Insertion of new section.*— After section 50 of the principal Act, the following sections shall be inserted, namely.

" 50-A — *Restrictions to operate Ambulance van without permit.*— (1) Notwithstanding anything contained in section 50 of this Act, no person or occupier of Nursing Home, Clinic, Dispensaries, Pathological Laboratory, Blood Bank, Private Hospital, Health Care establishment including Veterinary Institution or any social, cultural or

charitable organization or NGO shall provide or operate any ambulance van without obtaining any permit from the prescribed authority.

(2) Every owner or operator of an ambulance van shall make an application for grant of permit to operate an ambulance van in the State in such form and to such authority, as prescribed.

(3) Every application for grant of permit under sub-section(2) shall be accompanied by such fee and document as prescribed.

50-B — *Grant of permit for operating an ambulance van.*— (1) On receipt of an application under sub-section (2) of section 50-A , the prescribed authority shall, after satisfying the fulfillment of requirement and conditions as prescribed, either grant or refuse to grant a permit for operating the ambulance van within a period of fifteen days from the date of receipt of the application complete in all respects and prescribed fee thereof.

(2) If any deficiency is noticed in the application, the prescribed authority shall in writing require the applicant to rectify the same within a period of seven days thereof. If the applicant fails to rectify the deficiency with the specified period, the application shall be refused.

Provided that no order of refusal shall be made unless—

a) the applicant has been given a reasonable opportunity of being heard; and

b) the grounds on which the permission is refused are mentioned in the order.

50-C — *Validity of permit.*— (1) A permit granted to operate ambulance van to the applicant shall be valid for a period of five years subject to renewal and fulfillment of condition as prescribed.

(2) Every application for renewal of permit shall be made three months before expiry of period as specified in sub-section(1), accompanied by such renewal fee as prescribed.

(3) The prescribed authority shall renew the permit if the applicant has fulfilled the requirements as laid down under the rules.

(4) If the prescribed authority fails to pass any order within the specified period, the permit shall be deemed to be renewed for further period subject to terms and conditions as specified under the rules.

50-D—*Power to detain ambulance van used without permit.*— (1) Any police officer or any other officer duly authorized by the Director of Health Services in this behalf, may, if he has reasons to believe that an ambulance van has been or is being used in contravention of the provisions of section 50-A or in contravention of the condition of such permit or other purpose for which ambulance van not to be used, seize and detain the ambulance van in the prescribed manner and for this purpose, take and cause to be taken any steps he may consider necessary for the safe custody of the ambulance van :

Provided that where any such person has reasons to believe that the ambulance van has been or is being used in contravention of section 50A, he may instead of attaching ambulance van, seize the permit of the ambulance van and issue an acknowledgement certificate in respect thereof.

(2) Where an ambulance van or permit has been seized and detained under sub-section (1), the owner or a person in charge of ambulance van may apply to the Director of Health Services, or any officer authorized in this behalf by the Government, with the relevant documents for the release of the ambulance van or permit and such authority or officer may, after verifications of such documents, by order, release ambulance van or permit, as the case may be, subject to such conditions as the authority or officer may deemed fit to impose."

50-E — *Penalty for operating ambulance van without permit.*— Whoever operates or causes or allows to operate an ambulance van in contravention of the provisions of section 50-A, shall be punishable with imprisonment which may extent to three months or with fine which may extent to Rs. 5000/-, or with both.—

5. *Amendment of section 76-F.*— In section 76-F of the principal Act,—

(iii) for the words and figures "Rs.1000/-", the words and figures, "Rs. 5000/-" shall be substituted.

(iv) for the expression "rupees two hundred", the expression "rupees five hundred" shall be substituted.

6. *Amendment of section 101* .— In section 101 of the principal Act,—

- (i) in sub-section (1), for the words “two thousand rupees”, the words “five thousand rupees” shall be substituted.
 - (ii) In sub-section (2), for the words, “fifty rupees”, the words “two hundred rupees” shall be substituted.
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