

Department of Tourism

Notification

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The Government of Goa is hereby pleased to adopt Tourism Policy for erection of temporary seasonal structures, beach shacks, huts and others of the years 2013-16 for further period from 2016-19 in whole, and the same is published herewith for information of general public.

TOURISM POLICY FOR ERECTION OF TEMPORARY SEASONAL STRUCTURES, BEACH SHACKS, HUTS AND OTHERS 2016-19

TERMS AND CONDITIONS FOR ERECTION OF TEMPORARY SEASONAL STRUCTURES, BEACH SHACKS/DECK-BEDS/UMBRELLAS/ HUTS AND OTHER STRUCTURES

In compliance with the directives and the approval of the State Cabinet, the Government of Goa issues the following Policy/Guidelines for erection of temporary beach Shacks/ Deck Beds/Umbrellas/Huts and other temporary seasonal structures for the years from 2016 – 2019.

Validity of License: The License so issued shall be valid for three years from 2016 to 2019; however the temporary structures shall be allowed to be erected only for the period from 1st September to 31st May only. All structures permitted by the above license shall stop operation by 31st May and remove the structure by 10th June.

Security deposit: Normal Security deposit as provided in the Policy shall be paid by all applicants. However, in case of applicants whose Security deposit was forfeited for violation of Beach Shack Policies in previous years shall have to pay a security deposit which shall be double the normal security deposit prescribed.

A) Terms and conditions for issue of License for erection of temporary beach shacks on identified beach stretches:

License shall be granted for erection of temporary shacks on the following identified beach stretches after a joint inspection to be carried out by the Officials of this Department along with the Officials of GCZMA:

NORTH GOA – 259 nos.							
'A' Stretches				'B' Stretches			
Sr. No.	Name of the Beach	Size of the Shack	No. of Shacks	Sr. No.	Name of the Beach	Size of the Shack	No. of Shacks
1	Calangute			1	Keri	18 m X 8m	06
	(a) SauntaVaddo	First four Shacks at the entrance 12m X 8m balance shacks 18x8 m	25	2	Arambol	do	12
	(b) KhobraVaddo	18 mX 8m	17	3	Mandrem	do	10
	(c) UmtaVaddo	do	16	4	Morjim	do	11
	(d) MaddoVaddo	do	11	5	Ozrant	do	08
	(e) TivaiVaddo	do	17	6	Anjuna	do	07
	(f) GauraVaddo	do	22	7	Vagator	do	05
2	Candolim			8	Siridao	do	02
	(a) Ximer	18m X 8m	12	9	Chapora	do	02
	(b) EscrivaoVaddo	do	10				
	(c) CamotimVaddo	do	19				
	(d) Murud	do	12				
	(e) Vaddie	do	26				
	(f) Dando	do	09				
The in-principle approval for erection of temporary shacks on Calangute Beach, Candolim Beach and Ozrant Beach is valid only for the Tourist Season 2016-17 and is further subject to site conditions.							
SOUTH GOA – 105 nos.							
'A' Stretches				'B' Stretches			
Sr. No.	Name of the Beach	Size of the Shack	No. of Shacks	Sr. No.	Name of the Beach	Size of the Shack	No. of Shacks
1	Majorda	18m X 8m	10	1	Velsao	18m X 8m	02
2	Colva	do	08	2	Arrosim	do	04
3	Lounginhos (Colva)	do	03	3	Utorda	do	07
4	Colmar (Colva)	do	01	4	Thonvaddo (Betatbatim)	do	07
5	Benaulim	do	12	5	Ranvaddo (Betatbatim)	do	02
6	Calvaddo	do	03	6	Sunset Beach (Betatbatim)	do	01
7	Varca	do	04	7	Ghonsua Betatbatim		02
8	Fatrade (Varca)	do	07	8	Sernabatim (Colva)	do	03
9	Mobor (Cavellossim)	do	06	9	Velludo (Benaulim)	do	04
10	Khandivaddo (Cavellossim)	do	11	10	Zalor	do	04
				11	Baina	do	02
				12	Bogmalo	do	02

In Sauntavaddo the size of the first four beach shacks will be 12m x 8 m. In other beach areas though the size will be uniform and maintained at 18m x 8m, the Department will reserve the right of reducing the size to 12 m x 8 m depending on the beach width, public access and other factors.

Increase in the number of shacks if any in the above beach stretches subsequent to the approval of GCZMA shall be updated on the Departmental Website www.goatourism.gov.in and draw of lots shall be held accordingly.

1. If the number of eligible applicants is more than the number of beach shack permitted on any particular beach, the selection shall be decided by draw of lots, and the beach shacks shall be allotted as provided below
 - i) 90 % of the total beach shacks located on Government/ public beach areas shall be allotted to those applicants having a minimum of 03 years' experience;
 - ii) The remaining 10% of the total beach shacks permitted shall be allotted by draw of lots to applicants having experience of one year, two years and nil experience.

In case there is any fraction arising while arriving at percentage figure, the benefit of the fraction shall go to higher side only if the fraction is 0.5 and above. The draw of lots will be done first for selection of the applicants and then for the selection of places in both the categories separately, beach stretch wise.

In those stretches where the number of beach shacks is 5 or less allocation preference shall be to applicants having experience.

Explanation:

- i) For the purpose of experience the applicant shall enclose copies of permissions issued in the past or copy of letter issued by the Department of Tourism that he/ she was a successful shack allottee. No other documents shall be accepted.
 - ii) Permissions issued in the name of a person who is deceased shall be allowed for the purpose of experience in case the applicant is the spouse/ son/ daughter of the deceased person or his/her absence a legal heir.
2. Application in the prescribed form as per enclosure for allotment of Temporary beach shacks to be erected on identified beach stretches will be invited from the persons and license shall be issued to put up only one beach shack by one member of a family who is

unemployed and no other family members can apply. The applicant should not be employed or engaged, directly or indirectly in any business, vocation or profession, such as Tourist Taxis, hotels, Bars or Restaurants, sale of Handicrafts, Souvenirs, Toddy tapping, fishing or any other form of business not so specified. License shall be granted for putting up only one beach shack to a member of the family.

Explanation. — For the purpose of this section, family shall include husband or wife, as the case may be, dependent parents and unmarried children, provided they figure in the same ration card as that of the applicant.

In case of any complaints received with documentary proof that the shack allottee has obtained the shack fraudulently in violation of this policy, the license issued to such allottee, shall be cancelled forthwith and the Shack shall be re-allotted to the next waitlisted applicant and the security deposit shall be forfeited without any notice.

In case of death of the successful shack allottee the shack may be transferred in the name of the “legal heirs” in the family upon request of the member of family of such deceased shack allottee and after careful consideration of the facts by the Director of Tourism.

3. The beach shack applicant shall be present in person for the draw of lots. In case of inability to attend due to unavoidable circumstances he/she shall report to the Department office within three days of the date of draw to sign the attendance/site plan. In case of failure to report, the allotment shall be cancelled forthwith and beach shack shall be allotted to the next waitlisted applicant.
4. The Shack allottee shall enrol all the staff working in the Shack who is handling food, for a special course conducted by IHMCT, Porvorim or GTDC or any other institution as may be specified by the Department preferably within one month of their appointment. The beach shack allottee shall also enrol for one day orientation Work Shop at IHMCT, Porvorim or GTDC or any other institution as may be specified by the Department.

5. The Shack Allottee shall not employ any Children below the age of **14 years** as per the Child Labour (Prohibition and Regulation) Act, 1986. Failing which or in case of any violation the Security Deposit will be forfeited in the Government Treasury and the shack license may be cancelled.
6. The beach shack shall be erected only at the place indicated in the License and as demarcated on the site plan drawn by the Department and shown to the allottee by physical demarcation at the site.
7. The successful shack allottee shall collect the License within a period of 15 days from the date of draw and shall erect the Shack within one month. No shack shall be erected before obtaining/collecting the License from the Department. The Shack shall not be operated before obtaining permission/NOC/ License from all other concerned Departments. Failure to comply, the license issued is liable for cancellation forthwith.
8. The beach shack allottee shall provide printed bills to the customers for food, refreshment and any other service charges.
9. The unsuccessful shack applicants shall not erect any beach shack illegally. If done so, the same shall be subject to demolition at his/her own risk and cost and the fee submitted by the unsuccessful applicant shall be forfeited to the Government Treasury and he/she shall be Penalized/Black listed from applying for Shacks for a period of three years without prejudice to action for contempt of Court for violation of High Court Orders from time to time.
10. The beach shack allottee shall make provision for giving Fire cover/First Aid to the structure and the public/tourists and shall contact the Office of the Fire Service to obtain guidelines.
11. The License issued shall be valid for period as per allotment order only, however the temporary structures shall be permitted to be erected only for the period from 1st of September to 31st of May of

that particular tourist season. All structures permitted by the above license shall be removed by 31st of May of the respective years. The license issued shall be subject to the allottee obtaining the required permissions, from the Departments such as Excise, Health, Food & Drugs Administration, Electricity, Fire Services and other concerned authorities as may be applicable.

12. The concerned Departments shall issue licenses only to those shacks, which have been given permission by the Tourism Department. List of allotment shall be forwarded to concerned Departments.
13. The Tourist Police shall maintain a strict vigil along the beaches so as to prevent erection of illegal beach shacks/ illegal deckbeds. Hawkers, masseurs, vagabonds and others such as peddlers in banned substances should not be allowed to operate on the beaches under their jurisdiction and may take Assistance from Local police whenever required.
14. **Size and structure for Public beach shacks**-The beach shack structure shall be of the size 18 mts. (length) x 8 mts. (breadth) only and the height of the beach shack shall be maximum of 5.5 mts. including height of boards displayed above the roof. For the Beach Stretches of Sauntavaddo - Calangute, the size of the beach shack shall be 12 mts. (length) X 8 mts. (breadth) and the height of the beach shack shall be maximum of 5.5 mts. including height of board displayed above the roof. No beach shack shall be allowed of any dimension bigger than the above specified. **No shack shall be permitted to have a mezzanine floor or an additional floor.** The size of the beach shack shall be the actual construction i.e., the covered area on the ground and be measured from the poles erected at the four corners of the beach shack. Maximum roof extension of one meter from the plinth on lateral sides and two meters in front side will be allowed, however, there shall be no roof extensions from the rear side of the beach shack. Beach shacks which are bigger in size other than permitted are liable to be demolished and the permission shall be cancelled forthwith. The security deposit will also be forfeited without any notice after the panchnama is conducted and video-graphed and it is established that there is

illegal expansion or relocation of the beach shack area. The alignment shall be decided by the Department of Tourism.

15. For the Tourist season 2016-19, the cost for Application Form shall be Rs.9,000/- (non-refundable)The applicant is required to submit only one application from in the beginning of the tourist season for the year 2016-17 along with the entire application fee for the years 2016-19. The applicant shall however be required to pay the annual fee for allotment of beach shack every year. The application forms will be made available on the website of the Department of Tourism i.e. ***www.goatourism.gov.in*** and the form has to be downloaded and submitted to the following offices of the Department during working hours with two demand drafts, i.e. one demand draft for application form for application fee and second demand draft towards the annual beach shack fee as applicable. No physical forms will be made available by the Department. The demand drafts have to be drawn in favour of Director of Tourism, Panaji Goa, payable at Panaji Goa. Applications without the two demand drafts shall be summarily rejected. The annual license fee for the seasonal Shack shall be as under:

* **At stretches: 'A'**=Rs. 55,000/- 1styear (i.e. 2016-17)
Rs. 60,000/- 2nd year (i.e. 2017-18)
Rs. 65,000/- 3rd year (i.e. 2018-19)

* **At stretches: 'B'** = Rs. 45,000/- 1st year (i.e. 2016-17)
Rs. 50,000/- 2nd year (i.e. 2017-18)
Rs. 55,000/- 3rd year (i.e. 2018-19)

The annual beach shack fee shall be paid along with the application in the first year and latest by 15 September in the years 2017-18 and 2018-19. In case of Non-payment of the annual beach shack fee, the applicant/ beach shack allottee shall not be allowed to erect the beach shack on the allotted location. In case it is found that a shack allottee has erected the beach shack without payment of the annual fees by September 15 of the respective year the said beach shack shall be demolished without any notice and the security deposit deposited by the allottee shall be forfeited to the Government Treasury.

Beach stretches of Calangute, Candolim, Majorda, Colva, Benaullim, Varca and Cavelossim are classified as 'A' category beaches and the other beach stretches shall be termed as 'B' category. The beach shack fees of unsuccessful applicants shall be refunded within 45 days of the completion of beach shack allotment process. In case the successful beach shack allottee fails to set up the beach shack within 15 days from receipt of allotment/ permission letter from the department then the, beach shack fee will be forfeited, without notice.

16. Security Deposit: Each successful applicant shall furnish a refundable security deposit to be paid by challan and deposited in Government treasury drawn in favour of Director of Tourism payable at Panaji Goa for Rs.30,000/- (Rupees thirty thousand only) for shacks located in A Category beaches and Rs.25,000/- (Rupees twenty five thousand only) for beach shacks located in B Category beaches at the time of collection of permission letter.

17. In case of default or breach of or non-compliance of any of the terms and conditions of the tourism policy for erection of temporary seasonal structures or any other violations as are prohibited under the prevailing Laws, the Security Deposit made by the applicant shall be forfeited to Government Treasury, without notice. The applicant shall be required to produce a fresh security deposit of equal amount within a period of 10 days in order to continue the license for erection of temporary beach shack so allotted failing which the license so issued shall be revoked without any further intimation to the beach shack applicant and the structure shall be demolished thereafter as per provisions of Law. The security deposit made by the applicant shall be released after the expiry of license period and after the removal of structure and certificate obtained from the Designated Authority that the structure has been removed and land has been returned to its original form latest by 10 of June of every year for the period of license. These certificates shall be issued at the end of every tourist season by the designated authority after being satisfied that the beach shack has been removed and the land is restored to its original condition. The applicant shall submit all such certificates obtained at the end of the period of license while applying for release of security Deposit. Failure on the part of the applicant to remove the structure and

obtain the certificate from the designated authority as required above, the beach shack shall be removed by the Department at the cost and risk of the applicant and the cost of such removal if incurred shall also be recovered from the applicant. The beach shacks will have to be dismantled before 10th June every year for the period of permission, and a certificate to the effect that the beach shacks have been dismantled will have to be submitted from the concerned Assistant Tourist Officer (North)/Assistant Tourist Officer (South), Department of Tourism, on or before 30th June, 2016, failing which, the security deposit will be forfeited without any notice.

18. The beach shack shall be erected out of eco-friendly materials like bamboos/wooden poles with thatched palm leaves/ thatched bamboo mat roofing as far as possible. However, in case of paucity of wood the same may be erected out of the other modern materials like synthetic, steel, nylon fabric etc. for the purpose of frame work due to unpredictable weather conditions. Use of concrete material is absolutely banned. Grouting, plastering, laying of PCC/ RCC on the floor/ structure/ digging of soak pits/ digging and laying of pipes/ metal staircases grouted in cement etc. shall not be permitted at any cost as per the guidelines issued by the GCZMA.
19. If the beach shack allottee is found to place any additional items/ material on the beaches other than those permitted, the same shall be confiscated by the Department and any unauthorized item shall be treated as nuisance as defined under Goa Tourist Places (Protection and Maintenance) Act 2001 and the violator shall be prosecuted under the act. It shall be at the discretion of the Director of Tourism, to auction/dispose of the same. The beach shack license/deck-bed permission shall also be liable for cancellation.
20. A list of all successful beach shack allottees for 2016-19 shall be endorsed among others to the (i) Collector North/South (ii) Excise Department (iii) S.P. North/South (iv) Electricity Department (v) Health Department (vi) Food and Drugs Administration (vii) Fire Services (viii) Member Secretary, GCZMA (ix) PWD (x) Tourist Police. A list of successful beach shack allottees for 2016-19 season shall

be put up on the website of the Department. The Applicants licenses'/ N.O.C's shall be cleared by the respective Departments without delay, the activity being seasonal.

21. The beach shack shall be dismantled and all the materials used for its erection including the kitchen equipments/furniture etc. shall be removed within ten days of expiry of the permission (including disconnection of Temporary electric supply, water connection if obtained) once the season is over. The area shall be cleared and cleaned up without leaving any dirt/discarded material at the site. In case the allottee fails to remove the structure within three days of the expiry of the permitted period, his/her application for Shack shall be rejected for a period of three years. If due to any adverse weather conditions or beach protection or any such work / activity in public interest, needs to be carried, Director of Tourism may withdraw any permission for Deck-beds/Shack license before the specified date and in such cases, allottee/permission holder will not be liable for any compensation.
22. The activity in the beach shack shall be restricted to sale of food items and beverages and not for any other purpose. FDA licence for sale of any alcoholic beverages, necessary license shall have to be obtained by the allottee from the Department of Excise.
23. The beach shack allotted shall not be sublet under any circumstances. In case of subletting confirmed with documentary evidence the Shack shall be demolished on the spot and shall be allotted to the waitlisted applicant and the security deposit shall be forfeited without notice. The beach shack allotted are subject to surprise inspections by officials of Department of Tourism and in case it is found that the allottee is absent during three consecutive inspections, it shall be presumed that the shack has been sublet and the beach shack license will be cancelled and the beach shack allottee shall be debarred from allotment of shack for next three years.
24. Association with Nomads, Masseurs, hawkers and sale/display of any other items other than food and beverages shall not be permitted.

25. The applicant in public beach shacks should not have a criminal background or should not have been charged for an offence involving violence, drugs, eve teasing, violence pertaining to women or any other criminal offence and there should not be a charge sheet pending against him in any criminal Court located in India. All such applications to set up temporary shacks received from persons with criminal charge sheet pending against them in any court in India will be rejected forthwith.
26. Applicant shall not be involved in any illegal activities, including trafficking in drugs, immoral activities, paedophilia, etc. and it shall be applicant's responsibility to report any such cases noticeable, to the Police, or Tourism Department. All co-operation shall be given to the personnel of Tourism Department, who are authorized to act in case of violation of any of these guidelines/directions.
27. The beach shack allottee shall not discharge dirty water, liquid, sewage from the toilets garbage or any dry waste on the beach, or into the sand. NOC of Health Department is a necessary condition and non-obtaining of the same shall be sufficient for withdrawal of permission. The beach shack allottee will be required to maintain two dust bins, one for biodegradable waste with a lid and the other for non-biodegradable waste. Each allottee will also maintain a container to collect the waste water generated from washing, etc. The concerned Village Panchayat/ Municipality shall collect and dispose of the respective wastes for which necessary fees shall be paid by the beach shack allottee. The Department shall levy penalties for disposing off garbage unlawfully and even cancellation of permission for (a) not maintaining dustbins (b) not disposing off waste water properly (d) illegal dumping/burying of garbage in the vicinity or any portion/place of beach stretch, as enumerated in clause no. 19. The dustbin size shall be of 50 litres in with separate lids in black (dry waste), green (wet waste) and blue (plastic) to be bought and kept in designated areas.
28. **Compulsory installation of portable toilets**- with the objective of enforcing eco-friendly shacks and preventing damage to the environment, every beach shack allottee shall compulsorily provide portable toilet facility, like chemical mobile toilet with inbuilt proper

sewage collection and disposal facility. The toilet waste shall not be let out on beach area. The officials of the tourism department shall verify if this criterion is adopted by the shack allottee and only then issue the license. Toilets/lavatories without portable attached collection and disposal units will not be permitted under any circumstances. The service provider for such portable toilets has to be approved by the Department. In addition the Department of Tourism will provide e-toilets on all the beach stretches and allow the general public/ tourists to avail these services on payment basis. The shack allottees therefore now have an option to avail the services of such e-toilets provided by the Department on payment basis or specifically provide such e-toilets on their own with proper collection and disposal facilities. No septic tanks, soakpits or open draining of toilet waste in the ground shall be permitted at any cost. Penalty for installing any soak pit, open draining of sewage and toilet waste in to the sand on the beach shall lead to cancellation of the permission and further may also lead to debarring the shack allottee for further period. The shack allottee will have to pay a sum of Rs. 2,500 per month to the Department of Tourism towards the cost of maintenance of such toilets installed by the Department. The Toilet should be managed in a clean and hygienic manner at all times. In case of violation of these conditions, the shack license will be revoked and security deposit shall be forfeited without notice.

29. Area surrounding the beach shack must be kept clean by the beach shack allottee. Burning or burying of waste/garbage in any form is not allowed. In case, any dirt/garbage, fire wood, charcoal, etc. is found behind the beach shack or nearby, the license of the beach shack shall be liable for cancellation forthwith and the beach shack shall be demolished at the risk and cost of the beach shack allottee. The beach shack allottee shall take the responsibility to see that no garbage is dumped/buried in the bushes/vegetations or dunes. The beach shack owner shall hand over segregated wet and dry garbage to the Beach cleaning contractor appointed by the Department and maintain a proper log book with daily entries. Two separate wet and dry garbage collection bins will be maintained by the shack allottee, as per colour code prescribed by the Department.

30. The beach shack allottee shall be allowed to display only one menu board of the size 4 ft X 5 ft indicating list of food-items/ rates at the Shack. In any case no tariff boards/ standees shall be allowed to be installed outside the shack or on top of the shack. In case of violation, the boards shall be confiscated and security deposit shall be forfeited. Each allottee shall obtain potable water for their use from certified sources only. No advertisements of any brands shall be permitted on any shack and in case of any violation the security deposit will be forfeited and the license may be cancelled.
31. The Shack allottee shall not practice any discrimination for entering into the Shack against any person based on Nationality or sex or caste or religion or race or any other such factors, and allotment is liable for cancellation in case of such complaints received, after due verification.
32. The Department reserves the right to make adjustment as regards to demarcation of Shacks depending upon the site condition/ availability of space.
33. No foreigners shall be permitted to work in any Shack even though he/she may have necessary visa for work.
34. No smoking and No spitting board with the wordings "Say No to Tobacco" "Yes to Life" to be compulsorily displayed by each Shack allottee within the Shack and shall observe the rules and regulations under the Goa Prohibition of Smoking and Spitting Act, 1997, Cigarettes and Other Tobacco Products Act and other Central Act. If any psychotropic substances or narcotic substances are found in the beach shack the beach shack allottee shall be debarred for life for applying for the beach shack.
35. Timing for operation of Shack shall be from 7.00 a.m. to 11.00 p.m. and no loud music shall be played beyond 10.00 p.m. The sound of the music played shall be heard only within the shack and shall not cause any disturbance to surrounding occupants. only 2 speakers of 12.5 watts RMS each is allowed. Amplifier beyond 25 watts RMS is prohibited. All conditions as per Pollution Control Board norms shall be strictly followed. Any music system comprising speakers

and amplifiers beyond the permissible limits as aforesaid shall be confiscated.

36. Each shack allottee shall have to compulsorily install CCTV camera surveillance system of either of the following specifications shall be installed in order to monitor the activities in the shack. The CCTV cameras so installed should give real-time footages of the videos recorded with internal looping and non-invasive characteristics. The beach shack allottee shall maintain a record of the CCTV footage of at least last 30 days. The CCTV should be operational throughout the working hours of the beach shack. The service providers for such CCTV installations will be provided by the Department of Tourism. The CCTV installation will be inspected by the Police Department, who will certify that the CCTV installation is in working condition.
37. The Shack allottee shall take due care not to disturb any existing sand dunes and pioneer beach vegetation covering the sand dunes and they shall be protected and conserved. Failure to protect and conserve the same the Shack allottee shall be held responsible for violation of CRZ Notification, 1991 and action shall be initiated against the violators including cancellation of the Permission.
38. The Government will set up enforcement cell/flying squads with powers to the designated Officers/ executive magistrates to demolish illegal shacks and confiscate deck-beds etc. and to recommend imposition of impose penalties including cancellation of license for the rest of the season.
39. Hookahs, extra tables, chair, pool tables etc; will not be allowed within and around the shack.
40. The successful shack allottee shall compulsorily submit two names of the Manager/Asst. Manager to be employed by him along with photo identity. In case it is found that the shack is operated/managed other than the allottee/identified Manager/Asst. manager, the shack permission issued shall be revoked forthwith and the shack allottee shall be debarred from applying for shacks allotment in future for a period of three years.

41. The list of eligible applicants for Temporary Shacks shall be displayed on the Notice board. Complaints/Objections if any against the listed applicants shall be submitted to this office a day prior to the day of draw of lots.
42. The shack allottee shall take every care to keep the beach litter free and the responsibility thereof shall lie on the shack allottee.
43. All services and other products including food and eatables sold in the shack shall be subjected to Value added tax as shall be determined by the Department of Commercial Taxes.
44. The liquor sold in the shacks shall be subjected to Excise Duty as shall be determined by the Department of Excise. The Electricity department shall issue temporary electricity connections to the shacks allotted by the department of Tourism and the PWD/PHE shall grant temporary water connections to the shacks.
45. The successful Shack allottee is liable to pay any service taxes and other taxes as may be applicable under the Central Excise Act.
46. As far as turtle nesting beaches identified as such, by the Forest Department/Wildlife unit/ Competent Authority are concerned, the following conditions shall apply :

The precise location of the shacks on Morjim and Mandrem beaches shall be fixed in consultation with Forest Department who may identify the turtle nesting sites.

The allottee shall not allow the following after sunset and sunrise (i.e. after 6.00 p.m. till the sunrise on the next day).

- a) Operation of beach shack & related activities like placing of deck beds.
- b) Artificial lighting.
- c) Playing of loud music.
- d) Display of fireworks as these can have adverse effect on the turtles nesting.

The Shack allottee shall inform any incidents of nesting, and shall actively co-operate with the protection staff, in protection of turtle, turtle nesting site, turtle eggs hatching etc.

B. TERMS AND CONDITIONS FOR ISSUE OF PERMISSION FOR PLACEMENT OF DECK BEDS and UMBRELLAS ON BEACHES OF GOA.

1. The Department of Tourism will earmark special areas on the beaches, bounded by special ropes, wherein the deck-beds and umbrellas shall be placed by unemployed youth and any deck-bed found outside the earmarked area shall be confiscated. The detailed report on demarcated deck bed zone shall be made available by the department of tourism only after demarcation of the beach site. Deck-beds may be of plastic or made out of wood. Under no circumstances metal deck-beds will be permitted.

2. The Director of Tourism may permit a total of upto 25 deckbeds and umbrellas to be allowed to the hotels having property adjoining public beach area only by charging a fee of Rs.2500/- per deck-bed and umbrella valid from 15th September till 31st of May of particular tourist season. The deck-beds allotted to the hotels shall be placed strictly within five meters or within area demarcated by Tourism Department from the outer boundary of the hotel property without causing any congestion on the beach and without affecting the movement of tourist and the lifeguard/tourist police operations. The number of deck-beds and umbrellas so allotted may be increased if the additional deck beds does not cause inconvenience to General public by specific order issued by the Department.

2. The Director of Tourism may permit a maximum of 20 deck-beds for shacks allotted on public beaches. The deck-beds and umbrellas shall be strictly placed within 5-10 meters from the outer boundary of the shack without causing any congestion on the beach. A fee of Rs.500/- per deck-bed and umbrella shall be charged on these placements of deck-beds and the permission shall be valid from 15th September till 31st of May of particular tourist season. However if the space is available the Director of Tourism, on a case to case basis, after inspection may permit

additional number of deck-beds, maximum up to 10 additional deck-beds, to the beach shacks in such a manner as to cause no inconvenience to the general public, lifeguarding operations and the tourists passing by.

Explanation- in case of congested beach stretches in A category the deck-beds and umbrellas shall not be placed beyond five metres from the outer boundary of the shack and in case of other beach stretches in B category the deck-beds and umbrellas shall not be placed beyond ten metres from the outer boundary of the shack. The license will specify the outer boundary limit, based on the width of the beach which may differ on year to year basis depending upon the recovery of the beach areas.

3. The Director of tourism may permit a total of 8 deck-beds and umbrellas to be allowed to only those unemployed youth having local residence who have been allotted permissions in the past years as their entire livelihood would be dependent on this activity. No fresh applications from unemployed youth having local residence may be considered as it would add to congestion on the beach on account of limited space available. A fee of Rs. 750/- per deck-bed and umbrella shall be charged. The permission shall be valid from 15th September till 31st of May of particular tourist season.
4. The Private shack owners shall not be allowed to place deck beds on beach in case beach is already congested. For other cases, permission may be given on case to case basis on the same terms and conditions as at No. 4 above. This would lessen the congestion on the beach and allow free movement of tourists and other persons.
5. The Security deposit for Hoteliers and Unemployed youths shall be Rs.1,000/- per deck bed(refundable). In case of any violations or placement of extra/additional deck-beds over and above the number permitted, the security deposit shall be forfeited to Government Treasury without any notice.

6. Any complaint arising out of the above said placement shall be resolved by the Director of Tourism and his decision in this regards shall be final. The deck-beds/umbrellas shall be permitted in such a way that their placement do not;
 - a) violate any right(s) of the citizen for any ingress or egress on the beach;
 - b) occupy under the guise of the permission, the entire stretch of the beach thus hampering the activity of children playing on the beach or members of the public walking on the beach or otherwise hamper or hinder the access to, and enjoyment of the beach;
 - c) Inconvenience the public or tourist visiting the beach and that there is sufficient place available for all other touristic activities as are permitted in Law or as per entitlement for the members of the public.
7. All such deck-beds and umbrellas shall be removed immediately after 31st of May of that particular tourist season. The Deck-Beds shall be serially numbered from 1 to 8/12/20 as the case may be in all the stretches and painted with the permission/license number allotted. No scattering of Deck-Beds shall be allowed and if found the same shall be confiscated and the permission/license to place deck beds shall be revoked in respect of the shack allottee who has been found violating this clause. Any deck beds found without permission/ license number painted on it shall be treated as unauthorized deck bed and the same shall be seized and confiscated/ dismantled by using chain saw/cutter, on the spot. Any unauthorized deck bed shall be treated as nuisance as defined under Goa Tourist Places (protection and maintenance) Act 2001 and the violator shall be prosecuted under the act.

Section 10 of the above act is reproduced as under

10. Offences and penalties: — (1) Whoever contravenes any of the provisions of this Act or fails to comply with any order or directions given under the Act or obstructs any person acting under the orders or directions of the Competent Authority from

exercising his powers and performing his functions under this Act, shall be punishable with imprisonment for a term which shall not be less than 3 months but which may extend to 3 years or with fine which may extend to Rs. 5,000/- or with both.

(2) Any offence committed under this Act shall be cognizable and non-bailable.

C. TERMS AND CONDITIONS FOR ISSUE OF PERMISSION FOR ERECTION OF SHED FOR WATER SPORTS OPERATORS.

Those applicants who are interested to erect a temporary Shed to store their equipments/operate Water Sports Activities within the marked zone for the purpose, shall be permitted on payment of a fee of Rs.10,000/- per year in the form of Demand Draft drawn on State Bank of India, Panaji in favour of Director of Tourism, payable at Panaji for an area not more than 10 mtr. x 10 mtr. and they shall submit a refundable Security Deposit of Rs.25,000/- in the form of "Demand Draft". The permission shall be valid for one tourist season for a period from 15th of September to 31st of May in the tourist season and the same shall have to be renewed by the applicant in case he wishes to continue further in the next tourist season in the consecutive years. They should vacate and clear the site within seven days from the date of expiry of the permission and not later than 10th of June of that particular year. The Water Sports activities should be carried out only within the demarcated area and the operator should be registered under the Tourist Trade Act, 1982 with the Department of Tourism (copy of a valid Certificate to be enclosed). For operation of Water Sports activities, queue (Q) system shall be followed for which separate guidelines are being issued in pursuance of the Policy for regulation of water sports. The application for the said request will be considered on first come first serve basis and allocation depends purely on site condition. No commercial Activity of any kind in the hut/Shed.

D. PERMISSION FOR ERECTION OF BASE STATION, BEACH WATCH TOWERS PUBLIC UTILITIES COMPRISING OF CHANGING ROOMS, SHOWER ROOMS, CLOAK ROOMS AND TOILETS, WATER SPORTS KIOSKS ETC.

The Integrated lifeguarding and beach safety services of the Department shall have priority in erection of Base Station, Beach Watch Towers and Storage of all required equipments. Similarly, the Department shall be at liberty to allow erection of beach nodal centers for protection of Children's Rights, ticket counters for Water Sports, Tourist Assistance Booths, Toilets, Beach cleaning, safety etc.

E. PROPER AREA TO BE MAINTAINED FOR BATHING ZONE.

This Department through duly appointed agency shall demarcate the area for bathing and the same has to be strictly followed and no other activities to be carried out/allowed taking into consideration the safety of tourists.

F. PROPER AREA TO BE MAINTAINED FOR FISHING AND RELATED ACTIVITIES.

The Department may not allow any activities/permission in the area where fishing activities are carried out.

REMOVAL OF DIFFICULTIES: In case of any difficulty arising in the implementation of the Tourism Policy for erection of Temporary Seasonal Structures, the decision of the Director of Tourism shall be final. Failure to comply with any of the above conditions and furnishing of incorrect information by the allottee, the Permission shall be cancelled forthwith and the Shack shall be demolished at the own risk and cost. The Shack allottee shall also be debarred for a minimum period of three years and the amount deposited as Fees/Security Deposit shall be forfeited to Government treasury.

DIRECTOR OF TOURISM