



LEGISLATIVE ASSEMBLY OF GOA

The Goa Unemployment Assistance  
and Self-Employment Scheme  
Bill, 1992

(Bill No. 18 of 1992)

*(By Shri Radharao Gracias)*

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(To be introduced in the Legislative Assembly of Goa)

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GOA LEGISLATURE DEPARTMENT  
ASSEMBLY HALL, PANAJI  
JULY, 1992

The Goa Unemployment Assistance and Self-Employment  
Scheme Bill, 1992

(Bill No. 18 of 1992)

A

BILL

*to provide assistance for the unemployed in the State of Goa and to lay out a scheme for their self employment.*

Be it enacted by the Legislative Assembly of Goa in the Fortythird Year of the Republic of India as follows:

CHAPTER I

Preliminary

1. *Short title, extent and commencement.* — (1) This Act may be called the Goa Unemployment Assistance and Self Employment Scheme Act, 1992.

(2) It extends to the whole of the State of Goa.

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

2. *Definitions.* — In this Act, unless the context otherwise requires,—

(a) “bank” means any nationalised bank;

(b) “family income” means income of the family from all sources including the income of spouse, parents, unmarried brothers and sisters, sons and daughters and other members living in the same house;

(c) “Government” means Government of Goa;

(d) “prescribed” means prescribed by rules made under this Act;

(e) “Unemployment Assistance” means” monthly allowance paid by Government under the Act to such of those unemployed persons as are eligible;

(f) “unemployed person” means any person who has passed the S.S.L.C. or equivalent Examination, and having a family income of less than rupees four thousand per annum and whose name

has been validly registered in an Employment Exchange in the State of Goa and who has been continuing without any employment on the live register for the preceding three years as on the first day of the year in which the application under this Act is submitted, but excluding students and persons below 18 years and over 35 years of age as on the first day of the said year.

*Explanation.* — (i) Pass in the S.S.C. or equivalent Examination will not be insisted on in the case of applicants belonging to Scheduled Castes and Scheduled Tribes and Other Backward Classes. Such applicants shall be treated as unemployed persons for the purpose of this Act if they have appeared for the S. S. L. C. or equivalent Examination.

(ii) Applicants who have secured continuous employment for one year or more with or without break, within the above period of 3 years will be excluded. If the employment was for less than one year with or without break, the period of 3 years will be extended by such period.

(iii) For the purpose of this Act "student" shall include students of all Government/Private Institutions as well as those who do not undergo a formal course in any institution but are engaged in private studies.

## CHAPTER II

3. *Eligibility.* — Such of those unemployed persons as coming within the purview of the definition in section 2(d) of this Act shall be eligible for the assistance contemplated in the Act for a period not exceeding four years or for such shorter period as may be specified by the Government from time to time subject to the condition that no such unemployed person who is in receipt of any honorarium, stipend, allowance or ex-gratia payment in excess of rupees two hundred and fifty per month or those who are receiving the benefit of any pension or welfare schemes implemented by the Government shall be eligible for assistance under the Act.

4. *Financial Assistance.* — Subject to the provisions of section 8, every unemployed person shall be entitled to receive a monthly allowance of rupees two hundred and fifty if he is

eligible for assistance under the Act. If any applicant after submitting his application for assistance, secures any employment, no assistance shall be paid to him if the period of such employment covers the whole of the period for which assistance is to be granted during the year concerned. However, in cases of employment for shorter periods assistance eligible after deducting the amount in respect of such period or periods of employment shall be paid to the applicants.

5. *Procedure for grant of assistance.* — Such of those persons as are qualified for assistance under the Act will present applications in duplicate in the prescribed form to the Collector concerned. In receipt of the application the Collector concerned shall verify the eligibility of the applicants with reference to the records in the Employment Exchange and then cause enquiries to be conducted in respect of such eligible cases by the Secretary of the village panchayats concerned who in turn shall after enquiries record their findings thereon as to the family income and employment status of the applicants and whether he is a student and such other details given in the application. The Collector shall consider the applications after they are returned after enquiry by the Secretary of village panchayat concerned and may either sanction or reject the case according to the merit of each case. List of sanctioned and rejected cases shall be published at the Village Panchayat Office, bank and the Employment Exchange concerned. Before rejecting an application notice shall be given to the affected party who shall file objections, if any, within a period of one month from the date of notice. Such cases shall be disposed by the Collector after giving an opportunity of hearing to the affected party.

6. *Appeal.* — Any person aggrieved by the order of the Collector shall file an appeal, within a period of two months from the date of the order, to the Secretary, Labour whose decision thereon shall be final.

7. *Mode of payment of assistance.* — The monthly allowance shall be disbursed in every two months to the eligible beneficiaries through banks selected for the purpose. For this purpose the Collector will intimate the amount required for the particular district to the Commissioner, Labour and Employ-

ment. It shall be the responsibility of the Commissioner, Labour and Employment to place at the disposal of the banks concerned every two months, the amount required for all the district with a districtwise break-up of the amount. Banks concerned in turn will disburse the amount of the assistance to the applicants as per the sanctioned list.

8. *Requirement to participate in work programmes.* — The recipients of the Unemployment Assistance may be required to participate in any work programme specified by the Government for which remuneration, in addition to the unemployment assistance, will be paid to them at the rate to be fixed by the Government from time to time.

9. *Maintenance of Accounts.* — The banks will render bi-monthly statements of accounts of payments made under the Act to the Collector who will be the authority responsible for implementation of the Act.

10. *Liability of persons receiving assistance.* — Any person in receipt of assistance under this Act shall be bound to report forthwith to the banks and Collector concerned the fact of his receiving any employment and financial assistance to him shall thereupon be discontinued forthwith.

11. *Refusal to participate in Work Programmes.* — In case any person refuses to participate in the Work Programmes as directed by the Government the payment of assistance shall be discontinued and any payment already made will be recovered.

### CHAPTER III

#### Self Employment Scheme

12. *Eligibility.* — An unemployed person as defined in section 2(f) of this Act shall be eligible for the benefit of the self employment scheme contemplated in this chapter:

Provided that the minimum educational qualification prescribed in the said section shall not be applicable in the case of applicants for Self-employment Scheme: and

Provided further that the upper age-limit in respect of such applicants shall be 40 years instead of 35 years as prescribed in the said section.

13. *Application for Self-Employment Project.* — An unemployed person who intends to start a self-employment project as contemplated in this Act may apply in the prescribed form in duplicate to the Commissioner, Labour and Employment of his district within the prescribed time limit. Procedure for verification of applications and filing of appeals in this regard shall be the same as prescribed in section 5 and 6 respectively of this Act.

14. *Suitability and viability of Projects.* — Applications selected after verification in each district shall be placed before the District Level Committee to be appointed by the Government which shall after scrutiny take appropriate decision regarding the suitability of the applicant to undertake the proposed project and the feasibility of the project proposed and the decisions of the committee in this regard shall be final.

15. *Help and advance.* — It shall be the duty of the Commissioner, Labour and Employment to help the beneficiaries selected under the Act in the successful launching of the self-employment project including help in such matters as procurement of raw materials, provision of know-how and market facilities, imparting of training in necessary skills, etc.

16. *Financial Assistance.* — Each beneficiary selected under the Act shall be paid a lump sum assistance of rupees six hundred at the initial stage itself, subject to the condition that such beneficiaries shall not be eligible for any further assistance as contemplated under section 4 of this Act. However requests for provision of additional financial assistance after the commencement of the self employment project shall be considered by the Government on merits in each case.

17. *Bank Assistance.* — The lump sum assistance so received shall be deposited in the bank as seed money by the beneficiaries and the bank shall advance loans upto rupees five thousand per head at the differential interest rate of 4% to such of those beneficiaries whose family income does not exceed rupees three thousand five hundred and at the normal rate of interest to others.

*Explanation:* In computing the family income of applicants under self-employment scheme the income

of unmarried brothers and sisters if any, will not be taken into account.

18. *Partnership firms of self-employed person.* — In order to start project of relatively large size, the beneficiaries may join together and form partnership firms to enable them to pool their resources and skills. They will be eligible for lump sum assistance and bank loans as in individual cases. The terms of deeds relating to such partnership firms shall be as prescribed by the Commissioner, Labour and Employment.

19. *Powers of Control.* — The assistance under the Act and the loans from the bank shall be granted both to individual beneficiaries and the partnership firms only subject to the following conditions:—

(i) the project shall be managed in accordance with directions and advice given from time to time by the Commissioner, Labour and Employment and the banks concerned;

(ii) any change, deviation or alteration suggested by the Commissioner, Labour and Employment or the bank shall be carried out forthwith by the beneficiaries;

(iii) the Commissioner, Labour and Employment and the bank shall have power to inspect the working of the project and its accounts at any time as required by them;

(iv) the Commissioner, Labour and Employment and the bank shall exercise such control over the projects as are found necessary in each case.

#### CHAPTER IV

##### General

20. *Penalty for false claims.* — Any false information furnished by any applicant in respect of employment status, family income or any other details, or any delay or omission in reporting the fact of receiving employment as provided in section 10 above will entail deterrent penal action such as cancellation of employment registration, debarring from public appointment, recovery of amount already paid, etc.

21. *Overall Control.* — The Commissioner, Labour and Employment will be in overall charge of the scheme and may issue necessary instructions in regard to its proper implementation from time to time. He may also prescribe such periodical returns necessary for watching its implementation.

22. *Savings.* — The Government shall have power to make any changes in the scheme or issue any classifications in respect of the scheme whenever necessary. The decision of the Government on points of dispute shall be final.

### Statement of Objects and Reasons

The number of educated youth waiting for employment under live register maintained by the Employment Exchange is alarming and it goes on increasing day by day. These youths' will naturally become frustrated. It is therefore considered necessary to encourage these unemployed by giving some assistance and providing some scheme for their self employment. The Bill proposes to achieve the same. The Bill is based on the scheme existing in Kerala.

### Financial Memorandum

Initially, the expenditure of approximately Rs. 10 lakhs per annum will be required as assistance for the beneficiaries of the Scheme. It is very difficult to work out any statistics at this stage as the eligible persons are to be worked out in accordance with the family income and the age group.

Panaji  
15th July, 1992.

SHRI RADHARAO GRACIAS

M. L. A.

Assembly Hall,  
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16th July, 1992.

M. M. NAIK  
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