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The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 8th day of May, 1991.

By order of the Governor,

G. SASIDHARAN,
Law Secretary.

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ACT 17 OF 1991

THE KERALA REGISTRATION OF TOURIST TRADE ACT, 1991

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ACT 17 OF 1991

THE KERALA REGISTRATION OF TOURIST TRADE ACT, 1991

An Act to provide for the development of tourism in the State and for the registration of persons dealing with tourists and for matters connected therewith.

Preamble.—WHEREAS it is expedient to make provisions for the comprehensive development of tourism in the State and for the registration of persons dealing with tourists and for matters connected therewith;

BE it enacted in the Forty-second year of the Republic of India as follows:—

PART I

PRELIMINARY

1. *Short title, extent and commencement.*—(1) This Act may be called the Kerala Registration of Tourist Trade Act, 1991.

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

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

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

(a) 'black-list' means the list of dealers, hotel keepers or travel agents black-listed under the provisions of this Act and maintained by prescribed authority and exhibited at the places as may be prescribed.

(b) 'certificate of registration' means a certificate issued under this Act;

(c) 'dealer' means a person carrying on in a tourist area, the business of selling any notified article, whether wholesale or retail, and includes his agent or employee transacting business on his behalf;

(d) 'hotel' means any premises or part of premises including a houseboat, restaurant, bar or a tent where lodging with or without board or any kind of eatables or beverages is provided for a monetary consideration;

(e) 'hotel-keeper' means any person who owns or operates a hotel as proprietor and includes a person managing or operating the affairs of a hotel for and on behalf of the proprietor;

(f) 'malpractice' includes dishonesty, cheating, touting, impersonation, obstruction in allowing free choice for shopping or stay or travel arrangements, charging a price higher than that fixed under this Act, failure to display price label on the article, failure to give cash memos and wilful failure to execute an order within the stipulated time or according to the terms agreed.

Explanation 1.—For the purposes of this clause, labelled price shall be, the reasonable prices with stock number recorded on each label of each item as reflected in the stock books of dealer or manufacturer maintained at their places of business which shall be open for inspection by the buyer of the item or by the prescribed authority.

Explanation 2.—The expression 'touting' means coercing for shopping, accommodation, transportation, sight-seeing or pestering for any particular premises, person, establishment or manufacturer with consideration of personal benefit.

(g) 'notified article' means any article notified by the Government in the Gazette or in any publication prescribed in this behalf for purposes of this Act;

(h) 'part' means a part of this Act;

(i) 'prescribed' means prescribed by rules made under this Act;

(j) 'prescribed authority' means the authority notified as such by the Government, provided that, different authorities may be notified for different provisions of this Act;

(k) 'tourist area' means any area notified by the Government in the Gazette or any publication prescribed in this behalf, to be a tourist area for purposes of this Act;

(l) 'tourist' means a person or group of persons including pilgrims visiting the State from any part of India or outside India and includes a traveller or a group of persons visiting a particular area from any other part of the State;

(m) 'travel agent' means a person engaged in the business of making travel, trekking, camping, tour operating or other travel arrangements for tourists for a monetary consideration and includes a tourist guide, excursion agent, tent and camping agent or cargo agent.

(n) 'person' includes a firm, company, corporation and association of persons.

Explanation.—For the purposes of clauses (f) and (m) the expression 'travel arrangements' includes—

(a) arrangements for transportation, sight-seeing;

(b) arrangements for lodging with or without board; and

(c) rendering other services such as assistance for game, sports or receipt or despatch of personal belonging of a tourist.

PART II

REGISTRATION OF DEALERS

3. *Registration.*—(1) Every person intending to carry on business of a dealer under this Act shall, before he commences such business, apply for registration to the prescribed authority in the prescribed manner.

(2) Notwithstanding anything contained in sub-section (1), any person already carrying on the business of selling any notified article in a tourist area on the date such article is notified under clause (g) of section 2, shall apply for registration under this Act, within three months from the aforesaid date.

(3) Every application made under sub-section (1) shall be disposed of within a period of three months from the date of receipt of the application, failing which the application shall be deemed to have been accepted for registration.

4. *Certificate of Registration.*—The prescribed authority shall, unless registration is refused under section 5, direct that the name and the particulars of the dealer be entered in the register maintained for the purpose and shall issue a certificate of registration to the dealer in the prescribed form within a period of three months from the date of the receipt of the application.

5. *Refusal to register.*—(1) The prescribed authority may refuse registration of a dealer under this Act on any of the following grounds, namely:—

(a) if he has been convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or trafficking or adulteration of food, violation of foreign exchange regulations or foreign contribution regulations or the possession or sale of any narcotic drugs or psychotropic substances or corruption and two years have not elapsed since the termination of sentence imposed upon him;

(b) if he has been declared an insolvent by a Court of competent jurisdiction and has not been discharged;

(c) if his name has been removed from the register under clause (b) or clause (c) of section 6 and six months have not elapsed since the date of removal.

(2) No application for registration shall be refused unless the person applying for registration has been afforded a reasonable opportunity of being heard.

6. *Removal of the name from the register.*—(1) The prescribed authority may, by an order in writing, remove the name of a dealer from the register and cancel his certificate of registration on any of the following grounds, namely:—

(a) if he ceases to be a dealer;

(b) if he is convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food, violation of foreign exchange regulations or Foreign Contribution Regulations or the possession or sale of any narcotic drugs or psychotropic substances or corruption;

(c) if he is declared an insolvent by a Court of competent jurisdiction and has not been discharged;

(d) if any complaint of malpractice is received and proved against him;

(e) if he is black-listed by the prescribed authority under section 7.

(2) Any dealer whose name is removed from the register under sub-section (1) shall forthwith cease to be a dealer.

7. *Black-listing of dealers.*—(1) The prescribed authority may, on a complaint of malpractice having been proved or for any other offence committed under this Act, for reasons to be recorded, black-list a dealer after taking into consideration the nature of malpractice or the gravity of offence, for such period as the prescribed authority, deems fit.

(2) The particulars of a dealer black-listed shall be exhibited at conspicuous places in all tourist areas and notified to all travel, trade and other concerned organisations, foreign missions in India, Indian missions abroad and other important concerned channels after the order black-listing him has become final.

(3) The action taken under sub-section (1) shall not protect such dealer from being prosecuted under the provisions of this Act.

(4) If the prescribed authority is satisfied that there are sufficient grounds for removal of a dealer from the black list, it may, after recording the reasons, order his removal from such list and issue a fresh certificate of registration on payment of prescribed fee and notify the same for the information of all concerned.

8. *Notice of removal and black-listing of dealer.*—Before removing the name of a dealer from the register under section 6 or black-listing him under section 7, the prescribed authority shall give notice to the dealer of the ground or grounds on which it is proposed to take action, and hold an inquiry in the presence of the dealer giving him a reasonable opportunity of showing cause against it.

PART III

REGISTRATION OF HOTELS

9. *Registration.*—(1) Every person intending to operate a hotel in a tourist area shall, before operating it, apply for registration to the prescribed authority in the prescribed manner.

(2) Notwithstanding anything contained in sub-section (1) any person already operating a hotel in a tourist area on the date of the notification under clause (k) of section 2 is issued, shall apply for registration within three months from the aforesaid date.

(3) Every application made under sub-section (1) shall be disposed of within a period of three months from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.

10. *Certificate of Registration.*—The prescribed authority shall, unless registration is refused under section 11 direct that the name and the particulars of the hotel and the hotel-keeper be entered in the register maintained for the purpose and shall issue a certificate of registration to the hotel-keeper in the prescribed form.

11. *Refusal to register a hotel.*—(1) The prescribed authority may refuse registration of a hotel under this Act on any of the following grounds, namely:—

(a) if the hotel keeper has been convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food, violation of foreign exchange regulations or foreign contribution regulations or the possession or sale of any narcotic drugs or psychotropic substances or corruption and two years have not elapsed since termination of the sentence imposed upon him;

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- (b) if the hotel-keeper has been declared an insolvent by a court of competent jurisdiction and has not been discharged;
- (c) if the name of the hotel-keeper has been removed from the register under clause (b) or clause (c) of section 12 and six months have not elapsed since the date of such removal;
- (d) if the hotel-keeper does not hold a licence or certificate required to be held by him under any law for the time being in force;
- (e) if, in the opinion of the prescribed authority, there is sufficient ground, to be recorded in writing, for refusing registration.
- (2) No application for registration shall be refused unless the person applying for registration has been afforded a reasonable opportunity of being heard.

12. *Removal of the name from the register.*—(1) The prescribed authority may, by an order in writing, remove the name of a hotel from the register and cancel its certificate of registration on any of the following grounds, namely:—

(a) if the hotel-keeper ceases to operate the hotel in the tourist area for which it is registered;

(b) if the hotel-keeper is convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food, violation of foreign exchange regulations or foreign contribution regulations or the possession or sale of any narcotic drugs or psychotropic substances or corruption.

(c) if the hotel-keeper is declared an insolvent by a Court of competent jurisdiction and has not been discharged;

(d) if any complaint of malpractice is received and proved against a hotel-keeper;

(e) if the hotel is black-listed under section 13.

(2) Any hotel, the name of which is removed from the register under sub-section (1), shall forthwith cease to operate.

13. *Black-listing of hotels.*—(1) The prescribed authority may, on a complaint of malpractice having been proved or for any other offence committed under this Act, for reasons to be recorded, black list a hotel, after taking into consideration the nature of malpractice or the gravity of offence, for such period as the prescribed authority deems fit.

(2) The particulars of a black-listed hotel shall be exhibited at conspicuous places in all tourist areas and all the travel agents, dealers and hotel keepers, foreign missions in India and Indian missions abroad shall be given a copy thereof and they may be requested to affix the same at a conspicuous place in the place of business or as the case may be, the notice board of their offices

(3) The action taken under sub-section (1) shall not protect such hotel-keeper from being prosecuted under the provisions of this Act.

(4) If the prescribed authority is satisfied that there are sufficient grounds for removal of a hotel from the black-list it may, after recording the reasons, order its removal from such list and issue a fresh certificate of registration on payment of prescribed fee and notify the same for the information of all concerned.

14. *Notice of removal and black-listing of hotel.*—Before removing the name of a hotel from the register under section 12 or black-listing it under section 13, the prescribed authority shall give a notice to the hotel-keeper of the ground or grounds on which it is proposed to take action and hold an inquiry in the presence of the hotel-keeper giving him a reasonable opportunity of showing cause against it.

15. *Fixation of rates.*—The prescribed authority may in consultation with the hotel-keeper, by notification in the Gazette or any publication prescribed in this behalf, fix in respect of each hotel the reasonable maximum rate and the service charges, if any, commensurate with the standard of the hotel and quality of food, accommodation and service, which may be charged by the hotel-keeper for board or lodge or for both from the persons staying therein or from other customers.

16. *Hotel-keeper to display information.*—Every hotel-keeper shall cause to be displayed at some conspicuous place of the hotel, such information as may be prescribed.

17. *Hotel-keeper to present detailed bill.*—Every hotel-keeper shall render detailed bills to the person residing in the hotel and other customers and shall give receipts in acknowledgement of all payments.

PART IV

REGISTRATION OF TRAVEL AGENTS

18. *Registration.*—(1) No person shall carry on the business of a travel agent in a tourist area, unless he is registered in accordance with the provisions of this Act.

(2) Every person intending to act as a travel agent in a tourist area shall, before he commences to act as such, apply for registration to the prescribed authority in the prescribed manner.

(3) Notwithstanding anything contained in sub-section (2), any person acting as a travel agent in a tourist area on the date a notification under clause (k) of section 2 is issued, shall apply for registration within three months from the aforesaid date.

(4) Every application made under sub-section (2) shall be disposed of within a period of three months from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration.

19. *Certificate of registration.*—The prescribed authority shall, unless registration is refused under section 20, direct that the name and particulars of the travel agent be entered in the register maintained for the purpose and issue a certificate of registration to the travel agent in the prescribed form.

20. *Refusal to register.*—(1) The prescribed authority may refuse the registration of a travel agent under this Act on any of the following grounds, namely:—

- (a) if he does not possess any of the prescribed qualifications;
- (b) if he has been convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of the Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food violation of foreign exchange regulations or foreign contribution regulations or the possession or sale of any narcotic drugs or psychotropic substances or corruption and two years have not elapsed since the termination of the sentence imposed upon him;
- (c) if he has been declared an insolvent by a Court of competent jurisdiction and has not been discharged;
- (d) if his name has been removed from the register under this Act and one year has not elapsed since the date of removal;
- (2) No application for registration shall be refused unless the person applying for registration has been given an opportunity of being heard.

21. *Removal of the name from the register.*—(1) The prescribed authority may, by an order in writing, remove the name of a travel agent from the register and cancel his certificate of registration on any of the following grounds, namely:—

- (a) if he ceases to act as a travel agent in a tourist area;
 - (b) if he is convicted of any offence under Chapters XIV and XVI of the Indian Penal Code, 1860 or under any of the provisions of this Act or of any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food, violation of foreign exchange regulations or foreign contribution regulations or the possession or sale of any narcotic drugs or psychotropic substances or corruption;
 - (c) if he is declared an insolvent by a Court of competent jurisdiction and has not been discharged;
 - (d) if any complaint of malpractice is received and proved against him;
 - (e) if he is black-listed by the prescribed authority under section 22.
- (2) Any travel agent whose name is removed from the register under sub-section (1) shall forthwith cease to be a travel agent.

22. *Black-listing of travel agents.*—(1) The prescribed authority may, on proof of any complaint of malpractice or for any other offence committed under this Act, for reasons to be recorded, black list a travel agent after taking into consideration the nature of malpractice or the gravity of offence, for such period as the prescribed authority deems fit.

(2) The particulars of a travel agent black-listed shall be exhibited at conspicuous places and notified to all travel, trade and other concerned organisations, foreign missions in India and Indian missions abroad etc.

(3) The action taken under sub-section (1) shall not protect such travel agent from being prosecuted under the provisions of this Act.

(4) If the prescribed authority is satisfied that there are sufficient grounds for removal of a travel agent from the black list, it may, after recording the reasons, order his removal from such list and issue a fresh certificate of registration on payment of prescribed fee and notify the same for information of all concerned.

23. *Notice of removal and black-listing of travel agent.*—Before removing the name of a travel agent from the register under section 21 or black-listing him under section 22, the prescribed authority shall give notice to the travel agent of the ground or grounds on which it is proposed to take action, and hold an inquiry in the presence of that person, giving him a reasonable opportunity of showing cause against it.

24. *Fixation of rates.*—The prescribed authority may, by a notification in the Gazette, fix the reasonable maximum rates which may be charged by a travel agent for the services rendered by him to a person engaging him as such.

25. *Travel agent not to receive or demand tips.*—No travel agent shall receive or demand any tips, gratuity, presents or commission other than that permissible under this Act from any person engaging him or from any hotel-keeper in whose hotel such person resides or intends to reside.

PART V

APPEAL AND REVISION

26. *Appeals.*—(1) Subject to the provisions of sub-section (2), an appeal shall lie from every order of the prescribed authority under this Act, to the appellate authority to be appointed by the Government.

(2) Every such appeal shall be preferred within ninety days from the date of communication of the order.

(3) Every appeal shall be accompanied by such fees as may be prescribed and the original or an attested copy of the order appealed against.

Provided that the appellate authority may entertain an appeal after the expiry of the said period of ninety days, if it is satisfied that the appellant was prevented by sufficient cause from filing it in time.

(4) The appellant shall have a right to appear by a counsel and the prescribed authority may be represented by such officer or person as the Government may appoint.

(5) On receipt of any such appeal, the appellate authority shall, after giving the appellant a reasonable opportunity of being heard and after making such enquiry as it deems proper, dispose of the appeal for reasons to be recorded.

(6) The proceedings before the appellate authority shall be completed within four months of its institution.

27. *Revision*.—The Government may, at any time, call for the record of any case pending before or disposed of by any authority under this Act and if in any such case it appears to them that any order passed or proceeding taken should be modified, annulled or reversed, Government may pass such order as they may deem fit for reasons to be recorded and such order shall be final.

Provided that no order under this section shall be made to the prejudice of the person unless he has had a reasonable opportunity of being heard either personally or through counsel or by a duly authorised agent.

PART VI

OFFENCES AND PENALTIES

28. *Penalty for default in registration*.—(1) Any person carrying on the business of a dealer, hotel-keeper or travel agent without a proper registration under this Act or in violation of any of the provisions of this Act shall be punishable by the prescribed authority with a fine which may extend to Rs. 5000 and if the breach is a continuing one, with a fine of Rs. 100 for each such day.

(2) The fine imposed under sub-section (1) shall be recovered as if an arrear of public revenue due on land under the provisions of the Kerala Revenue Recovery Act, 1968 (15 of 1968).

Explanation.—A person who has made an application within the prescribed period and is pending disposal shall not be a defaulter for the purposes of this section.

29. *Penalty for false statement*.—If any person required to make a statement under this Act wilfully makes a false statement or suppresses a material fact with an intention to mislead the prescribed authority, he shall be liable to punishment with imprisonment for a term which may extend to three months or with fine not exceeding Rs. 1000 or with both.

30. *Certificate not to be assigned*.—Any person who lends, transfers or assigns the certificate of registration issued under this Act, shall be liable to punishment with imprisonment which may extend to six months or with fine not exceeding Rs. 2,000 or with both.

31. *Certificate and documents to be shown to persons on demand*.—(1) Any person registered under this Act, shall, at all times on demand, produce and show his certificate or any other document required under this Act to—
(a) the prescribed authority or any officer duly authorised by him in this behalf; and
(b) any bona fide customer

(2) Any person who refuses, on demand to show his certificate or document, or allow it to be read by any of the persons authorised to demand it, shall be liable to punishment with fine not exceeding Rs. 500.

32. *Penalty for malpractice*.—Any dealer, hotel-keeper, travel agent or any other person to whom this Act may be made applicable, who commits a malpractice or contravenes any other provision of this Act in the tourist area for which no specific penalty has been provided, shall be liable to punishment with imprisonment for a term which may extend to three months or with fine not exceeding Rs. 1,000 or with both.

33. *Obstructing lawful authorities*.—If any person wilfully obstructs or offers any resistance to, or otherwise interferes with the discharge of the functions of the prescribed authority or any officer authorised by him exercising any power, or performing any duties conferred or imposed upon it or him by or in pursuance of this Act or the rules made thereunder, he shall be liable to punishment with imprisonment which may extend to three months or with fine not exceeding Rs. 100 or with both.

34. *Offences to be tried summarily*.—Notwithstanding anything contained in this Act or in the Code of Criminal Procedure, 1973, all offences under this Act shall be triable summarily.

35. *Special rule of evidence*.—Notwithstanding anything contained in the Indian Evidence Act, 1872, when any complaint under this Act is made in writing by any person to the prescribed authority, it may be admitted in evidence and the examination of the complainant shall not be obligatory in any trial by a Judicial Magistrate, if such person cannot be found or is incapable of giving evidence.

36. *Institution of proceedings.*—No prosecution shall be instituted against any person for any offence under this Act except on a complaint made by the prescribed authority.

37. *Powers of the prescribed authority to summon and enforce attendance of witnesses and other persons.*—The prescribed authority shall have all the powers of a Civil Court under the Code of Civil Procedure, 1903 while trying a suit in respect of the following matters, namely:—

- (1) summoning and enforcing attendance of the complainant or the person against whom complaint is made under this Act and witnesses required in connection therewith;
- (2) compelling the production of any document; and
- (3) examining witnesses on oath, and may summon and examine *suo moto* any person whose evidence appears to be material.

Explanation.—For purposes of enforcing the attendance of witnesses and other persons mentioned above, the local limits of the jurisdiction of the prescribed authority extends to the whole of the State.

38. *Composition of offences.*—(1) The prescribed authority may accept from any person accused of an offence under this Act a sum of money not exceeding five thousand rupees, by way of composition for such offence and may out of money so received compensate the person against whom the offence has been committed to the extent the prescribed authority deems reasonable.

(2) On the composition of offence, no further proceeding in respect thereof shall be taken against the accused and if any proceeding has already been instituted against him in any court, the composition shall have the effect of acquittal.

PART VII

MISCELLANEOUS

39. *Notification of changes.*—(1) Whenever a business for which a certificate of registration is held by a person devolves by inheritance or otherwise upon any other person or undergoes a change in respect of any particulars entered in the register under this Act, such person shall, within sixty days of the date of such devolution or change, notify in writing the fact to the prescribed authority.

(2) The prescribed authority shall make necessary changes in the register maintained for the purpose and in the certificate of registration.

(3) Notwithstanding anything contained in sub-section (2), the prescribed authority may remove from the register the name of the person in whose favour the certificate was issued and cancel the certificate of registration, if the successor is not qualified to be registered under this Act.

40. *Return of the certificate of Registration.*—When a certificate of registration is cancelled under this Act, the person holding such certificate shall, within seven days from the date of publication of the order of cancellation in the Gazette or any publication prescribed in this behalf return it to the prescribed authority.

41. *Duplicate certificate.*—If a certificate of registration issued under this Act is lost, damaged or destroyed, the prescribed authority shall, on an application made in that behalf by the person holding such certificate and on payment of the prescribed fee, issue a duplicate certificate.

42. *Certificate of Registration to be kept exhibited.*—The certificate of registration shall be exhibited by the person holding it in a conspicuous place at the principal place of his business and if he has no place of business, he shall keep it on his person.

43. *Publication of list of person removed from the register.*—The prescribed authority shall from time to time, publish in the Gazette or two newspapers and in such other manner as it deems fit, the names and addresses of the persons and of the hotels whose names have been removed from the register and who have been refused registration under this Act.

44. *Power to inspect.*—The prescribed authority or any person authorised by him in this behalf may within the tourist area, inspect at all reasonable times, the premises in which a dealer or a travel agent carries on his business or any premises where a hotel is operated and require such dealer, travel agent or a hotel-keeper to produce any document, kept in pursuance of this Act or the rules made thereunder for inspection.

45. *Fixation of rates for other services.*—The prescribed authority may by a notification in the Gazette or two newspapers fix the reasonable maximum rates which may be charged for hiring of boat, automobiles, tourist coach or other conveyance.

46. *Powers of the Government to apply the Act to other persons.*—The Government may by notification in the Gazette or two newspapers direct that all or any of the provisions of this Act or the rules made thereunder shall with such exceptions, adaptations or modifications as may be considered necessary apply to persons doing the business in a tourist area of letting or plying for hire boats, automobile vehicles, or to such other persons as may be specified in the notification.

47. *Powers and duties of Police in respect of offences and assistance to the prescribed authority.*—(1) No person shall, without permission from the person or authority concerned, efface, mutilate or disfigure or otherwise destroy or cause any damage to any sign board situated within a tourist area.

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(2) Whoever contravenes any of the provisions of sub-section (1) shall be punishable with a fine which may extend to one thousand rupees.

(3) Every Police Officer shall give immediate information to the prescribed authority of offence coming to his knowledge, which has been committed against this Act or any rule made thereunder and shall assist the prescribed authority in the exercise of his lawful authority.

48. *Indemnity*.—No suit, prosecution or other legal proceedings whatsoever shall lie against the Government or any persons in respect of anything which is in good faith done or intended to be done under this Act.

49. *Reservation of powers of local authority*.—Nothing in this Act shall take away or diminish any of the powers vested in any local authority by or under any law for the time being in force.

50. *Power of the Government to regulate the courses of instruction or training in tourism*.—Government may, for the better and efficient management of tourism in the State, regulate subject to such conditions and restrictions as may be prescribed, the courses of instruction or training in tourism conducted by any institution or organisation other than those affiliated to any of the Universities in the State and those recognised or approved by Government.

51. *Power to make rules*.—(1) The Government may, by notification in the Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for—

(a) the maintenance of registers, books and forms by a hotel-keeper, dealer or travel agent for conduct of business;

(b) the form of application for registration and for certificate of registration;

(c) the fee for registration;

(d) the manner of giving notices under this Act;

(e) classification of hotels and travel agents;

(f) qualifications for registration as travel agents;

(g) manner of publication of the names and addresses of the persons and of the hotels removed from the register or to whom registration has been refused;

(h) manner in which a dealer, a hotel and a travel agent shall be black-listed and the publication of names and addresses of such dealer, hotel and travel agent;

(i) the place where the prescribed authority shall hold enquiry under this Act; and

(j) all matters expressly required to be prescribed under this Act.

(3) The rules made under this Act shall be subject to the condition of previous publication.

(4) Every rule made under this section shall be laid as soon as may be after it is made before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made the rule shall thereafter have effect only in such modified form for be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.