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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

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MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 27th October, 2026*/Kartika 5*, 1948 *(Saka)*

THE LAKSHADWEEP TOURISM TRADE (REGISTRATION, SAFETY AND FACILITATION) REGULATION, 2026

No. 17 OF 2026

Promulgated by the President in the Seventy-seventh Year of the Republic of India.

A Regulation to provide for the registration, facilitation and regulation of persons engaged in tourism trade in the Union territory of Lakshadweep; to ensure safety of tourists, quality of tourism services, transparency in charges, responsible and sustainable use of fragile island and marine ecosystems and for matters connected therewith or incidental thereto.

In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by her:—

CHAPTER I

PRELIMINARY

1. (*1*) This Regulation may be called the Lakshadweep Tourism Trade (Registration, Safety and Facilitation) Regulation, 2026. Short title, extent and commencement.

(*2*) It extends to the whole of the Union territory of Lakshadweep.

(*3*) It shall come into force on such date as the Administrator may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Regulation and any reference in any such provision to the commencement of this Regulation shall be construed as a reference to the coming into force of that provision.

Application and exemption.

2. (*1*) This Regulation shall apply to tourism trade carried on for monetary consideration or in relation to travel, stay, recreation or tourism activities in the Union territory of Lakshadweep.

(*2*) The Administrator may, by notification, apply any provision of this Regulation to any island, tourist area, category of service provider or tourism activity in a phased manner.

(*3*) Nothing contained in this Regulation shall be construed as authorising any tourism activity in any area where such activity is prohibited or restricted under any law, notification, order, coastal zone regulation, environmental clearance, forest or wildlife law, maritime law, security instruction, permit regime or local restriction for the time being in force.

(*4*) The Administrator may, by notification and subject to such conditions as may be specified therein, exempt any class of premises, persons or activities from all or any provisions of this Regulation, including—

(*a*) Government rest houses, circuit houses, inspection huts or public facilities not operated for commercial tourism;

(*b*) charitable or religious accommodation let out at nominal charges;

(*c*) occasional community events, festivals, fairs or temporary non-commercial services; and

(*d*) any micro or seasonal activity where full registration is not necessary.

(*5*) An exemption under sub-section (*4*) shall not exempt any person from obligations relating to tourist safety, cleanliness, environmental protection, emergency reporting, consumer transparency or compliance with any other law.

Definitions.

3. In this Regulation, unless the context otherwise requires,—

(*a*) "accommodation unit" means any hotel, resort, guest house, tourist home, tourist cottage, homestay, bed and breakfast establishment, tented accommodation, houseboat, live-aboard accommodation or any premises where lodging, with or without food or beverages, is provided to tourists for monetary consideration;

(*b*) "Administration" means the Administration of the Union territory of Lakshadweep;

(*c*) "Administrator" means the Administrator of the Union territory of Lakshadweep appointed by the President under article 239 of the Constitution;

(*d*) "adventure tourism activity" means an outdoor or experiential activity undertaken for recreation, training or sport on land, water or air, including water sports, boating, jet-skiing, kayaking, canoeing, sailing, parasailing, snorkelling, scuba diving, sea walk, submersible scooter, game fishing, trekking, aero-sports or any similar activity with inherent risk to life or limb and includes any other activity notified by the Administrator;

(*e*) "adventure tourism operator" means any person, firm, company, organisation, society, co-operative, enterprise or association which conducts, arranges, markets or offers any adventure tourism activity on commercial basis;

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(*f*) "beach amenity" means a temporary beach shack, kiosk, deck-bed, umbrella, chair or other facility notified by the Administrator, placed or operated for the purposes of tourism on a beach or foreshore area;

(*g*) "blacklist" means a list of tourism service providers who have been debarred for such period as may be specified in the order from carrying on tourism trade or any specified tourism activity under this Regulation;

(*h*) "certificate" means a certificate of registration issued under this Regulation;

(*i*) "dealer" means a person carrying on in a tourist area, the business of selling notified articles, whether wholesale or retail, where the stock or turnover of such articles exceeds the prescribed threshold;

(*j*) "designated authority" means an authority not below the level of Director, Tourism notified by the Administrator for carrying out the provisions of this Regulation and different authorities may be notified for different areas, provisions or classes of tourism trade;

(*k*) "digital platform" means a website, mobile phone application, electronic platform or similar medium, by which a person lists books, markets, facilitates or aggregates accommodation, travel, tourism activities or tourism services in the Union territory of Lakshadweep;

(*l*) "foreign tourist" means a tourist who is not an Indian citizen;

(*m*) "guide" means a person who offers guiding, interpretation, escorting or similar services to tourists for monetary consideration;

(*n*) "high-risk category" includes scuba diving, jet ski ride, wave surfing, water skiing, parasailing, flyboarding, high-speed boat rides, deep-sea activities or such other categories as may be notified by the Administrator from time to time;

(*o*) "low-risk category" includes kayaking, canoeing, stand-up paddle boarding, pedal boating, glass-bottom boat rides, snorkeling, wind surfing, swimming, banana boat rides, catamaran sailing or such other categories as may be notified by the Administrator from time to time;

(*p*) "malpractice" includes cheating, touting, impersonation, overcharging, misleading advertisement, obstruction of free choice of stay or travel or shopping or activity, non-disclosure of material terms, failure to issue bills or receipts, failure to provide promised facilities, use of sub-standard or unsafe equipment, use of untrained personnel, coercive selling, unauthorised underwater activities and such other practice as may be prescribed.

Explanation.—For the purposes of this clause, "touting" means coercing, soliciting or pestering any tourist for accommodation, transportation, sightseeing, shopping, activity booking, vending, hawking or any other tourism related service for personal benefit;

(*q*) "notified" means notified by the Administrator for the purposes of this Regulation;

(*r*) "permit" includes any permission, registration, clearance, no objection certificate, intimation or approval required under any law, order, guideline or instruction for the time being in force;

(*s*) "prescribed" means prescribed by rules made under this Regulation;

(*t*) "scuba diving centre" means a registered establishment which conducts or offers scuba diving or related underwater activities for tourists;

(*u*) "scuba professional" means a dive instructor, dive master, rescue diver, safety diver or any other person having such qualification or certification as may be prescribed or recognised under guidelines;

(*v*) "tourism service provider" means any person engaged in tourism trade and includes an accommodation unit, dealer, guide, travel agent, tour operator, adventure tourism operator, scuba diving centre, scuba professional, tourism vessel or live-aboard or yacht operator, beach amenity operator, wellness tourism service provider and any other notified category.

Explanation.—For the purposes of this clause,—

(*i*) "tour operator" means a person who conducts, organises, sells or manages package tours, sightseeing, island visits, excursions, experiences or tourism itineraries;

(*ii*) "travel agent" means a person engaged in making travel arrangements which includes transportation, ticketing, accommodation, sightseeing, excursions, activities, guiding, equipment hiring and ancillary tourist services,

in the Union territory of Lakshadweep for monetary consideration;

(*w*) "tourism vessel" includes a houseboat, motor boat, motor launch, pedal boat, sailing boat, canoe, kayak, water scooter, jet ski, live-aboard vessel, yacht or any other vessel or water-based machine used for tourism purposes;

(*x*) "tourist" means a person or group of persons visiting Union territory of Lakshadweep for leisure, pilgrimage, recreation, adventure, wellness, meetings, incentives, conferences, exhibitions, education or any other notified purpose;

(*y*) "tourist area" means any area notified by the Administrator as a tourist area for the purposes of this Regulation;

(*z*) "Union territory" means the Union territory of Lakshadweep;

(*za*) "wellness tourism service provider" means a person providing spa, Ayurveda, massage, yoga, naturopathy, health, well-being, fitness, beauty, rejuvenation or similar services to tourists for monetary consideration, but does not include medical practice requiring registration under any other law unless such service is marketed as a tourism service.

CHAPTER II

AUTHORITIES, REGISTER AND FACILITATION MECHANISM

Designated authorities and Tourism Trade Register.

4. (*1*) The Administrator may notify one or more designated authorities for registration, inspection, adjudication, appeal, revision, safety audit, standards or any other function under this Regulation.

(*2*) The designated authority shall maintain, preferably through an online system, a Tourism Trade Register containing details of registered tourism service providers, category endorsements, validity, suspension, cancellation, blacklisting and such other particulars as may be prescribed.

(*3*) The Tourism Trade Register shall be accessible in such manner as may be prescribed.

(*4*) The Administration shall integrate applications, renewals, payments, certificates, inspection reports and public verification through a single-window or digital system.

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Tourism Trade Facilitation and Safety Committee.

5. (*1*) The Administrator may, if deemed necessary, by notification, constitute a Tourism Trade Facilitation and Safety Committee for advising the Administration on tourism standards, safety protocols, capacity management, grievance trends, sustainable tourism practices and ease of doing business.

(*2*) The Administrator may nominate representatives from tourism, police, ports or shipping, health, environment or forest or wildlife, revenue or local administration, fire and emergency services, disaster management and industry experts as members of the Committee.

(*3*) The Committee shall be advisory in nature.

(*4*) The composition, procedure and functions of the Committee shall be such as may be prescribed.

CHAPTER III

REGISTRATION, CERTIFICATE, RENEWAL AND ADVERSE ACTION

Registration.

6. (*1*) No person shall carry on tourism trade in the Union territory unless registered or exempted under this Regulation.

(*2*) A person carrying on more than one category of tourism trade may be issued a single certificate with separate category endorsements.

(*3*) No separate registration shall be required for the same person and establishment, unless a separate endorsement is required for safety, consumer protection, environmental or public interest reasons.

(*4*) A registered person shall not operate outside the category, area, island, vessel, premises or activity endorsed in the certificate.

(*5*) The existing tourism service providers shall apply for registration or endorsement within six months from the commencement of the relevant provisions of this Regulation or within such extended period as may be notified.

(*6*) A person who has applied within the time specified under sub-section (*5*) and whose application is pending shall not be treated as a defaulter until such application is decided or deemed to have been accepted under this Regulation, subject to compliance with safety restrictions applicable to high-risk activities.

Application for registration and self-certification.

7. (*1*) An application for registration or endorsement shall be made to the designated authority in such form, manner along with such fee as may be prescribed.

(*2*) Any defect in an application shall be communicated to the applicant within fifteen working days of receipt, failing which the application shall be treated as complete for the purpose of computing the disposal period.

Time-bound disposal and deemed registration.

8. (*1*) Every complete application shall be disposed of within—

(*a*) forty-five days for low-risk categories;

(*b*) sixty days for high-risk categories;

(*c*) sixty days for tourism vessels including live-aboard vessels, yachts and any other category of vessel as may be notified.

(*2*) In case where the application is not disposed of within the period specified in sub-section (*1*), the application shall be deemed to have been accepted and the designated authority shall issue the certificate or endorsement within seven working days.

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(*3*) In the case of a high-risk category, deemed acceptance shall not authorise commencement of the high-risk activity unless the applicant has furnished the prescribed safety certifications, insurance and emergency-response documents.

(*4*) Where the documents specified under sub-section (*3*) have been furnished, deemed acceptance shall operate subject to post-registration safety audit.

(*5*) The designated authority may, for reasons to be recorded in writing and communicated to the applicant before expiry of the disposal period, extend the period by not more than thirty days in cases requiring inter-departmental verification.

(*6*) Any registration granted or deemed to be granted based on misrepresentation, fraud or suppression of material fact may be suspended or cancelled.

Certificate, validity, display and non-transferability.

9. (*1*) Upon registration, the designated authority shall issue a certificate in such form as may be prescribed.

(*2*) The certificate shall specify the category or categories of tourism trade, permitted area or vessel, validity period and conditions of registration.

(*3*) Unless otherwise notified, a certificate for low-risk categories may be issued for a period not exceeding five years and a certificate or endorsement for high-risk categories may be issued for a period not exceeding three years.

(*4*) The certificate shall be displayed in a conspicuous place at the principal place of business and where there is no fixed place of business, the certificate shall be carried physically or electronically by the registered person.

(*5*) The certificate number and category endorsement shall be displayed on the websites, digital platforms, invoices, booking confirmations and such other documents as may be prescribed.

(*6*) No certificate or endorsement shall be transferred, assigned or used by any person other than the person to whom it is issued, except with prior approval in such other cases as may be prescribed.

Renewal of certificate or endorsement.

10. (*1*) A registered tourism service provider shall apply for renewal of certificate or endorsement at least thirty days before the expiry of the certificate or endorsement in such form and manner as may be prescribed.

(*2*) Where a complete renewal application is made before expiry, the existing certificate shall remain valid until the renewal application is decided, except for cases where it has been suspended for safety or public interest reasons.

(*3*) A renewal application made within ninety days after expiry may be entertained on payment of such late fee as may be prescribed.

(*4*) If no renewal application is made within ninety days after the expiry, the certificate or endorsement shall cease to be valid.

(*5*) The renewal of certificate or endorsement shall ordinarily be granted on self-certification unless risk-based inspection, safety audit, complaint history or change of category requires further verification.

(*6*) The renewal of certificate of low-risk accommodation units, including homestays, bed and breakfast establishments and such other categories as may be prescribed, shall be processed through online self-certification, unless further verification is required on account of safety concern, complaint, change in premises or category or previous violation, as the case may be.

Grounds for refusal.

11. (*1*) The designated authority may refuse the registration or endorsement on any of the following grounds, namely:—

(*a*) the applicant does not fulfil the prescribed essential requirements, qualifications, safety standards or category conditions;

(*b*) the applicant does not hold a permit required under any law for the time being in force;

(*c*) the applicant has been convicted of an offence involving moral turpitude, cheating, corruption, narcotic drugs or psychotropic substances, serious bodily harm, sexual offence, trafficking or environmental offence and a period of two years has not elapsed since completion of sentence;

(*d*) the applicant has been declared insolvent and has not been discharged;

(*e*) the certificate has been cancelled or the applicant has been blacklisted and the period of debarment has not expired;

(*f*) the application contains material misrepresentation, fraud or suppression of facts;

(*g*) the premises, vessel, equipment, staff or activity is unsafe or unsuitable for the proposed tourism trade; or

(*h*) there are sufficient grounds to be recorded in writing for refusal in the interest of tourist safety, public order, environment, coastal security or protection of local communities.

(*2*) No application shall be refused unless the applicant has been given a reasonable opportunity of being heard.

(*3*) The refusal shall be by a speaking order and shall specify the period after which a fresh application may be made, which shall not ordinarily exceed six months unless the applicant has been blacklisted.

Suspension, cancellation and removal.

12. (*1*) The designated authority may suspend a certificate or endorsement for a period not exceeding ninety days pending inquiry, where immediate action is necessary in the interest of tourist safety, public order, environmental protection, coastal security or prevention of continuing malpractice.

(*2*) The designated authority may, after giving a reasonable opportunity of being heard, cancel a certificate or endorsement and remove the name of the registered person from the Tourism Trade Register, if such person—

(*a*) ceases to carry on the registered tourism trade;

(*b*) is convicted of an offence referred to in clause (*c*) of sub-section (*1*) of section 11;

(*c*) fails to comply with the provisions of this Regulation, rules, standards, lawful directions or conditions for registration;

(*d*) obtains registration by misrepresentation, fraud or suppression of material facts;

(*e*) commits or permits malpractice;

(*f*) operates outside the permitted category, area, vessel or premises;

(*g*) fails to maintain prescribed safety, hygiene, waste-management, equipment, staff or insurance requirements;

(*h*) fails to renew the certificate within the period specified in section 10; or

(*i*) is blacklisted under section 13.

(*3*) In urgent cases involving imminent danger to life, limb, public safety or environment, the designated authority may order immediate stoppage of the activity, sealing of equipment or evacuation of tourists, for reasons to be recorded in writing, subject to hearing within seven days.

(*4*) A person whose certificate or endorsement is cancelled shall immediately cease the relevant tourism trade and return or digitally surrender the certificate in such manner as may be prescribed.

Blacklisting.

13. (*1*) The designated authority may, after inquiry and for reasons to be recorded in writing by an order, blacklist a tourism service provider for proven malpractice, repeated contravention, coercive selling, harassment of tourists, serious safety breaches, environmental damage, fraud, operation in prohibited areas or any other serious contravention as may be prescribed.

(*2*) The period of blacklisting shall be proportionate to the gravity of the contravention and shall not exceed—

(*a*) six months for first serious contravention not resulting in injury or environmental damage;

(*b*) one year for repeated contravention or serious malpractice; and

(*c*) three years for contraventions involving serious safety risk, bodily injury, operation in a prohibited area, major environmental damage or repeated high-risk violations.

(*3*) The particulars of a blacklisted tourism service provider may be entered in the Tourism Trade Register and may be made available on the official website of the Administration.

(*4*) The blacklisting shall be without prejudice to cancellation, penalty, compensation, recovery, prosecution under any law for the time being in force.

(*5*) The designated authority may, for reasons to be recorded in writing, remove a person from the blacklist before the expiry of the blacklisted period, if satisfied that adequate corrective measures have been taken.

Procedure for adverse action.

14. (*1*) No order of refusal, suspension beyond fifteen days, cancellation of registration and removal from Tourism Trade Register or blacklisting shall be made unless the person concerned has been given—

(*a*) notice of the grounds;

(*b*) reasonable time to reply;

(*c*) reasonable opportunity of being heard.

(*2*) The designated authority may, permit rectification within fifteen days where the contravention is technical, first-time and does not affect tourist safety, environment or consumer interest.

(*3*) Notice and orders under this Chapter may be served electronically.

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(*4*) The proceedings under this section shall be completed within a period of fifteen days from the date of initiation of proceedings.

CHAPTER IV

DUTIES AND CATEGORY-SPECIFIC REQUIREMENTS

General duties of registered tourism service providers.

15. Every registered tourism service provider shall—

(*a*) comply with the provisions of this Regulation, rules, standards, guidelines, certificate conditions issued thereunder and all applicable laws;

(*b*) provide services honestly, safely and without coercion, touting or overcharging;

(*c*) display registration details, approved or declared tariffs, cancellation or refund terms, safety warnings and grievance contacts;

(*d*) issue bills, receipts or digital invoices for all payments;

(*e*) maintain such records as may be prescribed;

(*f*) employ or engage only qualified personnel;

(*g*) maintain hygiene, cleanliness, waste-management and environmental safeguards;

(*h*) immediately report any accident, missing tourist, serious illness, safety incident, environmental incident or law and order incident to the designated authority and other concerned authorities;

(*i*) not misrepresent permits, facilities, marine life sightings, safety level, certification, location, itinerary, accessibility or environmental claims;

(*j*) ensure that tourists are not taken to prohibited, restricted or unsafe areas;

(*k*) comply with such code of conduct as may be prescribed.

Accommodation units.

16. (*1*) No person shall operate an accommodation unit for tourists unless registered or exempted under this Regulation.

(*2*) The operator shall maintain adequate facilities, hygiene, safety, fire and emergency arrangements, guest records, display information and complaint redressal mechanism.

(*3*) The operator shall comply with reporting, identity verification and security requirements of a foreigner under the law for the time being in force.

(*4*) Where an accommodation unit is classified, graded or approved by the Central Government or any authority recognised by the Central Government, such classification, grading or approval may be accepted for the purposes of this Regulation.

(*5*) Classification, grading or quality-rating of accommodation units may be recognised for transparency and quality assurance in such manner as may be prescribed which, by itself, shall not create any entry barrier or be treated as a condition for registration or renewal under this Regulation.

(*6*) A registered operator intending to close or discontinue the business during the validity period of registration shall intimate the designated authority at least fifteen days before such closure.

(*7*) Homestays, bed and breakfast establishments, community-based accommodation and other small accommodation units shall comply with such necessary and simplified norms as may be prescribed.

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(*8*) Registration of homestays and bed and breakfast establishments shall ordinarily be based on self-certification and such documents as may be prescribed and no separate no objection certificate shall be required unless specifically required under any law for the time being in force or in such exceptional circumstances as may be prescribed.

(*9*) Residence of the owner in the premises shall not be insisted upon for registration or renewal of homestays, bed and breakfast establishments, community-based accommodation or other small accommodation units, except in such exceptional cases and subject to such conditions as may be prescribed.

Dealers and notified articles.

17. (*1*) The Administrator may notify articles for the purposes of this Regulation having regard to interest of tourist, consumer protection, local products, handicrafts, heritage value, environmental sensitivity or risk of overcharging or misrepresentation.

(*2*) No dealer shall sell notified articles in a tourist area unless registered, except in fairs, festivals, community markets or temporary markets as may be notified.

(*3*) Every registered dealer shall display prices, issue bills or cash memos, maintain records and comply with such quality, authenticity, labelling and consumer protection requirements in such manner as may be prescribed.

(*4*) The threshold of stock or turnover for registration as a dealer shall be such as may be prescribed and different thresholds may be prescribed for different notified articles, islands or classes of dealers.

Travel agents, tour operators and guides.

18. (*1*) No person shall operate as a travel agent, tour operator or guide unless registered or endorsed under this Regulation.

(*2*) A person may apply for one or more endorsements as travel agent, tour operator or guide and no separate certificate shall be required where the same person carries on more than one activity.

(*3*) The qualifications, training, local knowledge, language skills, code of conduct and record-keeping obligations of guides, travel agents and tour operators shall be such as may be prescribed.

(*4*) No travel agent, tour operator, guide, taxi operator or any person acting on their behalf shall demand or receive any tip, commission, gratuity or consideration from a tourist or tourism service provider except such charges or commission as are disclosed in advance and permitted under this Regulation or any other law for the time being in force.

(*5*) No travel agent or tour operator registered under this Regulation shall carry on recruitment business for an employer or represent any employer in recruitment matters unless authorised under the Emigration Act, 1983 or any other law for the time being in force. 31 of 1983.

(*6*) The tour operators and guides shall not take tourists to prohibited, restricted, unsafe, environmentally sensitive or such areas which have not been notified as tourist areas, except in accordance with permits and conditions under applicable law.

Digital platforms.

19. (*1*) No digital platform shall list, market, book or facilitate any accommodation unit, travel agent, tour operator, guide, adventure activity, scuba diving centre, tourism vessel, beach amenity, wellness tourism service or other notified tourism service unless such service provider is registered or exempted under this Regulation.

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(*2*) Every digital platform operating in the tourism sector in the Union territory shall display in such manner as may be prescribed, the registration number, category, validity status and grievance contact details of each listed tourism service provider.

(*3*) The designated authority may direct a digital platform to remove or disable listing of an unregistered, suspended, cancelled, expired or blacklisted tourism service provider.

(*4*) Every digital platform shall publish details of a grievance officer or nodal contact number for coordination with the Administration and tourists.

(*5*) The exemptions or simplified compliance for small local operators using third-party platforms or social media for incidental booking shall be provided in such manner as may be prescribed.

Beach shacks and beach amenities.

20. (*1*) The Administrator may notify beaches or areas where beach shacks, kiosks, deck-beds, umbrellas, chairs or other beach amenities shall be installed, operated or prohibited.

(*2*) No beach amenity shall be installed or operated except under a registration or endorsement granted in such manner for such season and subject to such conditions as may be prescribed.

(*3*) The number, location, size, design, material, environmental safeguards, waste-management duties, hours of operation and method of allotment of beach amenities shall be regulated in accordance with the guidelines issued under this Regulation.

(*4*) The allotment may made be through a transparent method, including application, draw of lots, preference to local inhabitants or community-based enterprises, auction or any other method notified in the public interest.

(*5*) Beach amenities shall be removed, relocated or regulated as directed by the designated authority for public safety, coastal protection, weather warnings, carrying capacity, turtle nesting, coral or reef protection, cleanliness or any other public purpose.

(*6*) No person shall claim any permanent right in any beach, foreshore or public land on the basis of registration or endorsement under this section.

Adventure tourism, water sports and scuba diving centres.

21. (*1*) No person shall conduct any adventure tourism activity, water sport or scuba diving centre unless registered with the appropriate category endorsement.

(*2*) The Administrator may classify adventure tourism activities by risk category and prescribe different standards, staff qualifications, equipment, insurance, emergency arrangements, carrying capacity and inspection requirements.

(*3*) Every adventure tourism operator and scuba diving centre shall—

(*a*) use equipment conforming to recognised standards;

(*b*) engage qualified instructors, guides, dive professionals or safety personnel, where applicable;

(*c*) maintain equipment logs, safety checklists, incident registers and tourist consent or briefing records;

(*d*) provide safety briefing, risk disclosure and emergency instructions to tourists before the activity;

(*e*) ensure medical fitness declaration or screening as prescribed;

(*f*) operate only in permitted areas and weather or sea conditions;

(*g*) maintain first aid, communication, rescue and emergency oxygen or other equipment as prescribed; and

(*h*) comply with environmental safeguards for coral reefs, lagoons, marine life, beaches and islands.

(*4*) The Administration may recognise standards or certifications issued by competent national or international bodies for scuba diving, water sports, adventure tourism, equipment testing, vessel safety or instructor certification.

(*5*) The detailed operational norms for scuba diving, snorkelling, sea walk, parasailing, kayaking, canoeing, jet-skiing, game fishing and other activities shall be regulated in accordance with the guidelines issued under this Regulation.

(*6*) The scuba diving may be treated as a specialised endorsement under adventure tourism and additional requirements for scuba diving centres and dive professionals shall be such as may be prescribed.

Dive professionals and individual operators.

22. (*1*) A scuba diving centre shall file with the designated authority details of scuba professionals engaged by it, their qualifications, certifications, validity and role.

(*2*) An individual scuba professional, guide or instructor who independently offers commercial services to tourists may be required to obtain individual registration or endorsement in such manner as may be prescribed.

(*3*) A foreign national shall not conduct any commercial scuba, adventure, vessel, guiding or other tourism activity except in accordance with permits, visas, intimation and requirements in accordance with any other law for the time being in force.

(*4*) A tourist undertaking a recreational dive, snorkelling session or adventure activity as a customer shall not be required to register merely by reason of undertaking such activity.

Tourism vessels, live-aboard vessels and yachts.

23. (*1*) No person shall operate a tourism vessel, live-aboard vessel or yacht for tourists in the Union territory unless registered or endorsed under this Regulation and compliant with maritime, port, safety, security and environmental requirements for the time being in force.

(*2*) The operator shall furnish details of vessel registration, survey, seaworthiness, crew, passenger capacity, communication equipment, insurance, waste-management arrangement, itinerary, emergency plan and such other particulars as may be prescribed.

(*3*) Foreign vessels, foreign operators and foreign tourists shall comply with such permits, restricted or protected area requirements, port clearances, immigration, security, customs, maritime or other requirements as may be applicable in accordance with any other law, order or guideline for the time being in force.

(*4*) The designated authority may restrict routes, anchoring points, lagoons, reefs, night stay, passenger capacity, waste discharge, dive support, water sports or any other operation in the interest of safety, environment, coastal security or carrying capacity.

(*5*) Where a vessel is already licensed, surveyed or certified by a competent maritime authority, the designated authority shall rely on such certificate to the extent possible and shall not duplicate technical scrutiny, except for tourism-specific safety, consumer protection and environmental conditions.

Wellness tourism service providers.

24. (*1*) No person shall operate a wellness tourism service unless registered or endorsed under this Regulation, or exempted under section 2.

(*2*) A wellness tourism service provider shall comply with such hygiene, staff qualification, consent, disclosure, privacy, sanitation, safety, gender-safety, premises and consumer-protection requirements as may be prescribed.

(*3*) Nothing in this Regulation shall authorise any person to practise medicine, surgery, therapy or clinical procedure requiring registration or qualification under any other law for the time being in force.

(*4*) Every wellness tourism service provider shall clearly disclose the nature of service, qualification of personnel, charges, contraindications, risks, refund terms and grievance contact.

CHAPTER V

TRANSPARENCY, TOURIST SAFETY AND ENVIRONMENTAL SAFEGUARDS

Display of information.

25. (*1*) Every tourism service provider shall display at its place of business and on its digital listing—

(*a*) certificate number and validity period;

(*b*) name and contact details of operator;

(*c*) category of service;

(*d*) tariffs, taxes, inclusions and exclusions;

(*e*) cancellation, refund and rescheduling policy;

(*f*) safety instructions and restrictions, wherever applicable;

(*g*) permitted area or itinerary, wherever applicable; and

(*h*) grievance contact and emergency numbers.

(*2*) Every tourism service provider shall issue a bill, receipt or digital invoice showing the service, date, amount charged, taxes and any additional fee, if any.

(*3*) Any amount collected in excess of displayed or agreed charges for services not delivered, may be ordered to be refunded along with such compensation as may be determined by the adjudicating authority.

Explanation.—For the purposes of this sub-section, the Director Tourism shall be the adjudicating authority.

(*4*) The Administration may prescribe standard disclosure formats for high-risk activities and package tours.

Tourist safety.

26. (*1*) The Administrator may issue a Tourist Safety Code for tourism service providers, providing for standards of staff, equipment, briefings, weather checks, communication, rescue, first-aid, emergency evacuation and incident reporting.

(*2*) Every high-risk tourism service provider shall conduct and record pre-activity safety checks and tourist briefings in such manner as may be prescribed.

(*3*) Every accident, injury, death, missing tourist incident, rescue, equipment failure, severe weather conditions, marine incident, fire, food safety incident or environmental incident shall be reported immediately to the designated authority.

(*4*) The designated authority may direct temporary suspension of an activity or area on account of weather, sea condition, epidemic, disaster, environmental risk, law and order or any other safety reason.

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Insurance and emergency response.

27. (*1*) Every adventure tourism operator, scuba diving centre, tourism vessel operator, live-aboard or yacht operator and other tourism service provider shall maintain insurance cover for tourists availing its services.

(*2*) The nature, minimum amount and terms of insurance shall be such as may be prescribed having regard to the risk category of the activity.

(*3*) Every high-risk tourism service provider shall maintain an emergency response plan, trained staff, first-aid and rescue arrangements as may be prescribed.

(*4*) The designated authority may require proof of insurance and emergency response capacity before issuing or renewing high-risk endorsements.

Permitted areas, carrying capacity and environmental protection.

28. (*1*) The Administrator may notify permitted, restricted or prohibited areas, routes, lagoons, beaches, reefs, dive sites, anchoring points, trekking routes, vessel routes or activity zones.

(*2*) The Administrator may notify carrying capacity, visitor limits, time slots, seasonal closures, equipment limits, vessel limits and conditions for any tourist area or activity.

(*3*) No person shall damage coral reefs, lagoons, beaches, marine life, nesting sites, vegetation, heritage sites, public infrastructure or local community assets.

(*4*) No person shall litter, dump waste, discharge pollutants, anchor on coral, collect coral, shells or protected marine species, feed or disturb wildlife or use prohibited plastic or hazardous material in a tourist area:

Provided that nothing contained in this sub-section shall apply to any activity undertaken for scientific research, conservation, rescue, restoration, authorised removal, clean-up or any other purpose expressly authorised by the competent authority under any law for the time being in force.

(*5*) Every tourism service provider shall comply with waste segregation, collection, take-back, sewage, effluent and waste-disposal requirements as may be prescribed.

(*6*) Without prejudice to any action that may be taken under the law relating to environment, wildlife, coastal regulation, maritime safety or any other law for the time being in force, the designated authority may order restoration, clean-up, compensation, suspension of activity or penalty under this Regulation.

Tourist grievance redressal.

29. (*1*) The Administration may establish a tourist grievance mechanism, including an online portal, helpline or tourist assistance centre.

(*2*) Every registered tourism service provider shall display grievance contact details and cooperate in the grievance resolution.

(*3*) The designated authority may, after giving an opportunity of being heard, order refund, replacement service, corrective action, compensation not exceeding such amount as may be prescribed or any other appropriate directions for proven malpractice, overcharging, non-provision of promised service or unsafe service.

(*4*) An order under this section shall be without prejudice to remedies available under the Consumer Protection Act, 2019 or any other law for the time being in force. 35 of 2019.

CHAPTER VI

APPEAL, PENALTIES AND ADJUDICATION

Appeal.

30. (*1*) An appeal shall lie against the order of the designated authority passed under this Regulation to the appellate authority who shall be an officer not below the rank of Secretary, Tourism.

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(*2*) The appeal shall be filed within sixty days from the date of communication of the order:

Provided that the appellate authority may entertain an appeal after the expiry of sixty days, if sufficient cause is shown.

(*3*) The appellate authority shall give a reasonable opportunity of being heard and pass a speaking order within ninety days of the filing of the appeal under this section:

Provided that the said period may be extended by such further period, for reasons to be recorded in writing but not exceeding thirty days.

(*4*) The filing of appeal shall not automatically suspend the operation of order passed by the designated authority, unless the appellate authority passes an order for stay of that order for reasons to be recorded in writing.

Adjudication.

31. (*1*) The Administrator may notify adjudicating officers for the purpose of imposing penalties under this Regulation.

(*2*) No penalty shall be imposed unless the person concerned has been given notice and a reasonable opportunity of being heard.

(*3*) While determining penalty, the adjudicating officer shall consider—

(*a*) the nature, gravity and duration of contravention;

(*b*) whether the contravention is first-time, repeated or continuing;

(*c*) the risk to tourist safety, environment, public order or local community;

(*d*) the gain made or loss caused;

(*e*) the corrective action taken; and

(*f*) the cooperation during inquiry.

(*4*) Minor procedural contraventions may be disposed of by warning, advisory, direction for rectification or reduced penalty.

Penalty for unregistered operation.

32. (*1*) A person who carries on tourism trade without a certificate or endorsement required under this Regulation shall be liable to penalty which may extend to—

(*a*) fifty thousand rupees for low-risk category;

(*b*) two lakh rupees for high-risk category;

(*c*) five lakh rupees where an unregistered operation results in serious risk to life, injury, rescue operation, environmental damage or operation in a prohibited area.

(*2*) In addition to penalty imposed by the adjudicating officer, the designated authority may order immediate stoppage of activity, sealing of premises or equipment, removal of unauthorised beach amenity, suspension of listing on digital platform, refund to tourists or other corrective actions as may be necessary.

(*3*) A person who has made an application for renewal of registration within the specified period and whose application is pending shall not be treated as operating without registration, except where the activity is a high-risk activity that may not commence without safety endorsement under this Regulation.

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Penalty for false statement or suppression.

33. A person who wilfully makes a false statement, furnishes false document, suppresses material fact or obtains registration, endorsement, renewal or benefit by misrepresentation shall be liable to penalty which may extend to one lakh rupees and the certificate or endorsement may be suspended or cancelled.

Penalty for misuse, transfer or non-production of certificate.

34. (*1*) Any person who lends, transfers, assigns, sells, leases, allows misuse of or operates through the certificate of another person or endorsement without permission shall be liable to penalty which may extend to one lakh rupees.

(*2*) Any registered person who refuses to produce certificate, endorsement, records, safety documents, permits or other documents required under this Regulation on demand by the designated authority shall be liable to penalty which may extend to twenty-five thousand rupees.

(*3*) The designated authority may require production of the documents specified in sub-section (*2*), physically or electronically.

Penalty for malpractice.

35. (*1*) Any tourism service provider who commits malpractice shall be liable to penalty which may extend to one lakh rupees.

(*2*) The adjudicating officer may order refund of excess amount collected, compensation, corrective disclosure, apology, suspension or cancellation, depending on facts of the case.

Penalty for unsafe adventure, scuba, water sports or vessel operations.

36. (*1*) Any adventure tourism operator, scuba diving centre, scuba professional, tourism vessel operator, live-aboard or yacht operator or related person who violates safety standards, operates without required safety equipment, uses unqualified personnel, exceeds seating capacity, operates in prohibited area, ignores weather or sea warnings, fails to maintain insurance or fails to report an incident shall be liable to penalty which may extend to five lakh rupees.

(*2*) Where such contravention causes death, grievous hurt, major environmental damage or serious public danger, the designated authority shall report the matter to the police or competent authority for action under the law applicable, without prejudice to penalty, cancellation of registration or blacklisting under this Regulation.

(*3*) The equipments or vessels used in unsafe or unauthorised operation may be seized, sealed or immobilised in such manner as may be prescribed.

Penalty for damage, littering and unauthorised use of beach or public area.

37. (*1*) Any person who litters, damages tourist infrastructure, sign boards, beach amenities, coral reef, lagoon, vegetation, marine life, nesting sites, heritage sites, public infrastructure or local community assets in a tourist area shall be liable to penalty which may extend to one lakh rupees and may be directed to restore or compensate for the damage.

(*2*) Any person who erects or operates a beach shack, kiosk, deck-bed, umbrella, chair or other beach amenity without authorisation shall be liable to penalty which may extend to one lakh rupees and such unauthorised structure or material may be removed or confiscated in such manner as may be prescribed.

(*3*) The provisions of sub-sections (*1*) and (*2*) shall apply without prejudice to any action taken under the environmental, wildlife, coastal, municipal, police, maritime or other applicable laws.

Penalty for subsequent and continuing contraventions.

38. (*1*) Where a person repeats the same contravention within two years, penalty may be enhanced up to twice the amount provided under the relevant provision.

(*2*) Where contravention is continuing after an order or notice, additional penalty not exceeding five thousand rupees per day for low-risk categories and twenty thousand rupees per day for high-risk categories may be imposed.

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(*3*) Repeated serious contraventions may result in suspension, cancellation or blacklisting.

(*4*) Nothing in this section shall prevent prosecution under any other law where the act constitutes an offence under such law.

Recovery of penalty and compensation.

39. Any penalty, refund, compensation, restoration cost, removal cost, clean-up cost, penal interest or other amount payable under this Regulation may be recovered as arrears of land revenue or in such other manner as may be prescribed.

Composition of contraventions.

40. (*1*) The designated authority may compound the contraventions in such manner and subject to such conditions as may be prescribed.

(*2*) No contravention involving death, grievous hurt, sexual offence, trafficking, narcotic drugs, major environmental damage, serious coastal security risk, fraud, repeated high-risk safety violation or any offence under any other law shall be compounded under this Regulation.

(*3*) On composition, no further proceeding under this Regulation shall lie for the same contravention but composition shall not affect liability under any other law unless expressly provided.

(*4*) The amount received by way of composition may be used to compensate an affected tourist in such manner as may be prescribed.

Powers to summon and take evidence.

41. The designated authority, appellate authority and adjudicating officer shall, while conducting proceedings under this Regulation, have the powers of a civil court under the Code of Civil Procedure, 1908 in respect of summoning persons, enforcing attendance, requiring production of documents, receiving evidence on affidavit and examining witnesses on oath.

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Power to inspect and risk-based audit.

42. (*1*) The designated authority may inspect at reasonable times, the premises, vessel, equipment, records, digital listing, safety documents or activity site of any tourism service provider.

(*2*) The inspection of low-risk categories shall ordinarily be risk-based, complaint-based or sample-based and prior notice may be given unless surprise inspection is required.

(*3*) The inspection of high-risk activities may include safety audit, equipment verification, staff qualification verification, mock drill, incident audit and compliance with environmental and carrying-capacity norms.

(*4*) The designated authority may require production of documents physically or electronically and may record findings in such manner as may be prescribed.

(*5*) The Administration may publish an inspection policy to minimise arbitrary inspections and promote transparent compliance.

Assistance by police and other departments.

43. (*1*) Police officers, port officers, health officers, fire and emergency officers, environment or wildlife officers, local administration officers and any other notified officer shall assist the designated authority in enforcing the provisions of this Regulation.

(*2*) Any officer specified in sub-section (*1*) who receives information of a serious contravention affecting tourist safety, public order, coastal security, environment or public health shall promptly inform the designated authority or the competent authority under the applicable law about such contravention.

(*3*) The designated authority may coordinate with other departments for joint inspection, rescue, evacuation, closure, removal, prosecution or any other lawful action.

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Change, closure, return and duplicate certificate.

44. (*1*) Where a registered business devolves by inheritance, transfer, lease, change in constitution or otherwise or where any material particulars change, the registered person shall inform the designated authority within thirty days.

(*2*) The designated authority may amend the register and certificate, if the successor or changed entity is eligible.

(*3*) Where a certificate is cancelled, surrendered, expired or the business is closed, the certificate shall be returned or digitally surrendered in such manner as may be prescribed.

(*4*) Where a certificate is lost, damaged or destroyed, a duplicate certificate may be issued on payment of prescribed fee.

(*5*) Closure or discontinuance of a registered tourism business shall be intimated at least fifteen days before closure.

Publication of adverse orders.

45. (*1*) The designated authority may publish in the Tourism Trade Register and on the official website of the Administration the names and particulars of tourism service providers whose certificate has been refused, suspended, cancelled, expired or removed from the said register or who have been blacklisted.

(*2*) The publication shall be proportionate and shall not disclose personal information beyond what is necessary for tourist safety, consumer protection and public interest.

(*3*) Where an adverse order is set aside in an appeal, the Tourism Trade Register and publication shall be promptly corrected.

CHAPTER VII

MISCELLANEOUS

Power to apply Regulation to new or other tourism services.

46. The Administrator may, by notification, direct that all or any provisions of this Regulation or rules made thereunder shall apply, with such exceptions, adaptations or modifications as may be specified therein, to any new, emerging or other tourism service, activity, digital model, experience, event or establishment not expressly covered by this Regulation.

Power to make rules.

47. (*1*) The Administrator may, by notification in the Official Gazette, make rules for carrying out the purposes of this Regulation.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the other practice under clause (*p*) and the qualification or certification of scuba professional under clause (*u*), of section 3;

(*b*) the other particulars under sub-section (*2*) and the manner of accessibility of the Tourism Trade Register under sub-section (*3*), of section 4;

(*c*) the composition, procedure and functions of the Committee under sub-section (*4*) of section 5;

(*d*) the form, manner and fee for registration under sub-section (*1*) of section 7;

(*e*) safety certification, insurance and emergency-response documents under sub-section (*3*) of section 8;

(*f*) the form of certificate under sub-section (*1*), other documents under sub-section (*5*) and other cases under sub-section (*6*), of section 9;

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(*g*) the form and manner of renewal of certificate under sub-section (*1*), the late fee for renewal of application under sub-section (*3*) and other categories of accommodation units under sub-section (*6*), of section 10;

(*h*) the essential requirements, qualifications, safety standards or category conditions under clause (*a*) of sub-section (*1*) of section 11;

(*i*) the safety, hygiene, waste-management, equipment, staff or insurance requirements under clause (*g*) of sub-section (*2*) and the manner of surrender of certificate under sub-section (*4*), of section 12;

(*j*) any other serious contravention under sub-section (*1*) of section 13;

(*k*) the records under clause (*e*) and the code of conduct under clause (*k*), of section 15;

(*l*) the manner of recognition of accommodation units under sub-section (*5*), necessary and simplified norms under sub-section (*7*), the documents and other exceptional circumstances under sub-section (*8*) and exceptional cases and conditions for residence of owners under sub-section (*9*), of section 16;

(*m*) the consumer protection requirements under sub-section (*3*) and the threshold of stock or turnover and different thresholds of notified articles, islands or classes of dealers under sub-section (*4*), of section 17;

(*n*) the qualifications, training, local knowledge, language skills and other requirements of guides, travel agents and tour operators under sub-section (*3*) of section 18;

(*o*) the manner of display on the digital platform under sub-section (*2*) and the manner of providing exemptions or simplified compliance for incidental booking under sub-section (*5*), of section 19;

(*p*) the manner of grant of registration or endorsement, season and conditions for installation and operation of beach amenities under sub-section (*2*) of section 20;

(*q*) the different standards, staff qualifications and other requirements under sub-section (*2*), medical fitness declaration or screening under clause (*e*), other equipments under clause (*g*), of sub-section (*3*) and additional requirements for scuba diving centres and dive professionals under sub-section (*6*), of section 21;

(*r*) the manner of obtaining individual registration or endorsement under sub-section (*2*) of section 22;

(*s*) the other particulars to be furnished by the operator under sub-section (*2*) of section 23;

(*t*) the consumer protection requirements under sub-section (*2*) of section 24;

(*u*) the standard disclosure formats under sub-section (*4*) of section 25;

(*v*) the manner of conducting and recording pre activity safety checks and tourist briefings under sub-section (*2*) of section 26;

(*w*) the nature, minimum amount and terms of insurance under sub-section (*2*) and the details of emergency response plan under sub-section (*3*), of section 27;

(*x*) the waste disposal requirements under sub-section (*5*) of section 28;

(*y*) the compensation amount under sub-section (*3*) of section 29;

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(*z*) the manner of seizing, sealing or immobilizing of equipments or vessels under sub-section (*3*) of section 36;

(*za*) the manner of removal or confiscation of unauthorised structure or material under sub-section (*2*) of section 37;

(*zb*) the manner of recovery under section 39;

(*zc*) the manner and conditions of composition of contravention under sub-section (*1*) and the manner of compensating the affected tourist under sub-section (*4*), of section 40;

(*zd*) the manner of recording of findings under sub-section (*4*) of section 42;

(*ze*) the manner of return or digital surrender of certificate under sub-section (*3*) and the fee for issuance of duplicate certificate under sub-section (*4*), of section 44;

(*zf*) any other matter which is to be, or may be provided for by rules under this Regulation.

(*3*) Every rule made under this Regulation shall be laid before Parliament as soon as may be after it is made.

Power to issue standards, guidelines and directions.

48. (*1*) The Administrator or the designated authority may issue standards, guidelines, codes of conduct, safety protocols, checklists, model forms, advisories or directions consistent with the provisions of this Regulation and rules made thereunder.

(*2*) The standards and guidelines may adopt, recognise or refer to standards issued by the Central Government, National Institute of Water Sports, Directorate General of Shipping, Mercantile Marine Department, Bureau of Indian Standards, recognised scuba or adventure bodies or any competent authority.

(*3*) Any standard, guideline or direction having general application shall be published on the official website of the Administration and where practicable may be issued after stakeholder consultation.

(*4*) In matters of urgent safety, disaster, weather, epidemic, environmental or security situations, directions may be issued with immediate effect.

Protection of action taken in good faith.

49. No suit, prosecution or other legal proceeding shall lie against the Administrator, designated authority, adjudicating officer, appellate authority or any officer or employee of the Administration for anything which is in good faith done or intended to be done under this Regulation, rules, standards, guidelines or directions made thereunder.

Saving of local authorities and other laws.

50. (*1*) Nothing in this Regulation shall take away or diminish the powers of any local authority or any authority conferred under any other law for the time being in force.

(*2*) The registration under this Regulation shall not be construed as an exemption from any permit, approval, tax, fee, clearance, safety certificate, environmental condition or legal obligation under any other law for the time being in force.

(*3*) Where any other authority has granted a permit or certification, the designated authority shall, to the extent practicable, avoid duplicate scrutiny and rely upon such permit or certification for the purpose of this Regulation.

Transitional provision and savings.

51. (*1*) On and from the commencement of this Regulation, any previous rule, order, instruction, guideline, registration or certificate relating to tourism trade in the Union territory shall, to the extent not inconsistent with this Regulation, continue until superseded, amended, expired or cancelled or rescinded.

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(*2*) Any valid certificate, permission or registration immediately before commencement of the relevant provision shall be deemed to be valid under this Regulation for its remaining period or for twelve months, whichever is earlier, unless suspended or cancelled.

(*3*) The applications pending on commencement of this Regulation shall be dealt with thereunder and the applicant may be required to furnish additional information only, if necessary, for category endorsement or safety compliance.

(*4*) Anything done, action taken, fee paid, proceeding commenced or order issued under any corresponding previous instrument shall be deemed to have been done, taken, paid, commenced or issued under this Regulation, so far as it is not inconsistent with the provisions of this Regulation.

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DROUPADI MURMU,
President.

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DR. RAJIV MANI,
Secretary to the Govt. of India.

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