

Panaji, 1st March, 2018 (Phalgun 10, 1939)

SERIES II No. 48

# OFFICIAL GAZETTE



# GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

*Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 47 dated 22-02-2018 namely, Extraordinary dated 23-02-2018 from pages 2211 to 2212 regarding Notifications from Department of Finance.*

Margao-Goa, to fill one vacant post of Directors, against ST/SC Category of The Phoenix Estate Co-op. Housing Society Ltd., Margao-Goa.

## GOVERNMENT OF GOA

Department of Civil Supplies and  
Consumer Affairs

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### Addendum

No. DCS/6-705/FPS Automation/2017-18/420

Read: Order No. DCS/6-705/FPS Automation/  
/2017-18/ dated 19th February, 2018.

In the above referred order under Financial Bid Committee" serial No. (II) Under Secretary (Finance) may be read as Under Secretary (Finance) Expenditure.

The other contents of the order remains unchanged.

By order and in the name of the Governor of  
Goa.

*Mahesh V. Corjuenkar*, Director & ex officio Joint  
Secretary (Civil Supplies & Consumer Affairs).

Panaji, 21st February, 2018.



## Department of Co-operation

Office of the Registrar of Co-operative Societies  
& ex officio Addl. Secretary

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### Order

No. 50/3/(45)/Elec/BOD/PECH/RCS/SZ/14/4614

Read: 1) Letter No. 18-420-2006/ARSZ/HSG/1413  
dated 26-09-2017 received from the Asstt.  
Registrar of Co-op. Societies, South Zone,

The Government of Goa is pleased to exempt the Phoenix Estate Co-op. Housing Society Ltd., Margao-Goa, from the provisions of Section 59(4) and 60(3)(b) of the Goa Co-op. Societies Act, 2001 for the term i.e. 2014 to 2019 by invoking the powers under Section 126A of the Goa Co-op. Societies Act, 2001.

By order and in the name of the Governor of  
Goa.

*Sanjiv M. Gadkar*, Registrar & ex officio Addl.  
Secretary (Co-op. Societies).

Panaji, 22nd February, 2018.

### Order

No. 50/3/(72)/Elec/BOD/NCH/RCS/NZ/14/4645

Read: 1) Letter No. 1/119/Elec/BOD/NCH/NZ/2014/  
/1242 dated 10-11-2017 from the Asstt.  
Registrar of Co-op. Societies, North Zone,  
Mapusa-Goa to fill seven vacant posts of  
Directors of the Navodaya Co-op. Housing  
Society Ltd., Porvorim-Goa.

The Government of Goa is pleased to exempt the Navodaya Co-op. Housing Society Ltd., Porvorim-Goa from the provisions of Section 59(4) and Section 60(3) (b) of the Goa Co-op. Societies Act, 2001 for the term i.e. 2014 to 2019 by invoking the powers under Section 126A of the Goa Co-op. Societies Act, 2001.

By order and in the name of the Governor of  
Goa.

*Sanjiv M. Gadkar*, Registrar & ex officio Addl.  
Secretary (Co-op. Societies).

Panaji, 26th February, 2018.

Office of the Registrar of Co-operative Societies  
& ex officio Joint Secretary

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**Order**

No. 50/3/(80)/Elec/BOD/JPCS/RCS/CZ/15/4668

Read: 1) Letter No. 1-168/Elec/JpCc/ARCZ/2015/  
/640 dated 18-09-2017 received from the  
Asstt. Registrar of Co-op. Societies, Central  
Zone, Panaji, Goa to fill five vacant posts  
of Directors of the Jose Peres Cardoso  
Co-op. Housing Society Ltd., Davernem,  
Merces-Goa.

The Government of Goa is pleased to exempt the  
Jose Peres Cardoso Co-op. Housing Society Ltd.,  
Davernem, Merces-Goa, from the provisions of  
Section 59(4) and 60(3)(b) of the Goa Co-op. Societies  
Act, 2001 for the term i.e. 2015 to 2020 by invoking  
the powers under Section 126A of the Goa Co-op.  
Societies Act, 2001.

By order and in the name of the Governor  
of Goa.

*Sanjiv M. Gadkar*, Registrar & ex officio Addl.  
Secretary (Co-op. Societies).

Panaji, 26th February, 2018.

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**Order**

No. 50/3/(75)/ELEC/DDCHS/BOD/RCS/SZ/15/4677

Read: Letter No. 20-285/2006/ARSZ/HSG/1287  
dated 13-09-2017 received from Asstt.  
Registrar or Co-op. Societies, South Zone,  
Margao-Goa to fill the seven vacant posts  
of Director of the Devashri Darshan  
Co-op. Housing Society Ltd., Mangoor Hill,  
Vasco-da-Gama.

The Government of Goa is pleased to exempt the  
Devashri Darshan Co-op. Housing Society Ltd.,  
Mangoor Hill, Vasco-da-Gama, Goa from the  
provisions of Section 59(4) and Section 60 (3) (b) of  
the Goa Co-op. Societies Act, 2001 for the term i.e.  
2015 to 2020 by invoking the powers under Section  
126A of the Goa Co-op. Societies Act, 2001.

By order and in the name of the Governor  
of Goa.

*Sanjiv M. Gadkar*, Registrar & ex officio Addl.  
Secretary (Co-op. Societies).

Panaji, 27th February, 2018.

**Order**

No. 50/3/(68)/ELEC/BOD/KGC/RCS/SZ/16/4678

Read: Letter No. 18-560/2012/ARSZ/HSG/42 dated  
04-04-2017 received from Asstt. Registrar of  
Co-op. Societies, South Zone, Margao-Goa to  
fill the eleven vacant posts of Director of  
the Kurtarkar Garden Co-op. Housing  
Maintenance Society Ltd., Gogol, Margao-  
Goa.

The Government of Goa is pleased to  
exempt the Kurtarkar Garden Co-op. Housing  
Maintenance Society Ltd., Gogol, Margao-Goa from  
the provisions of Section 59(4) and Section 60 (3) (b)  
of the Goa Co-op. Societies Act, 2001 for the term  
i.e. 2016 to 2021 by invoking the powers  
under Section 126A of the Goa Co-op. Societies Act,  
2001.

By order and in the name of the Governor  
of Goa.

*Sanjiv M. Gadkar*, Registrar & ex officio Addl.  
Secretary (Co-op. Societies).

Panaji, 27th February, 2018.



**Department of Education, Art & Culture**

Directorate of Higher Education

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**Order**

No. 2/2/2018-DHE/3917

Read: Order No. 21/2/2013-DHE/3695 dated  
13-02-2018.

Ms. Dixita Bhairu Shingadi appointed as  
Assistant Professor in Geography under  
Directorate of Higher Education and posted in  
Government College of Arts, Science and  
Commerce, Quepem shall discharge her  
duties at Government College of Arts, Science  
and Commerce, Khandola-Goa on working  
arrangement basis from the date of her  
joining to the said post in Government College of  
Arts, Science and Commerce, Quepem upto  
31-03-2018.

*Diwan N. Rane*, Under Secretary (Higher  
Education).

Porvorim, 22nd February, 2018.

**Order**

No. 1/13/2017-DHE/3934

Government is pleased to transfer the following Assistant Professors in Government Colleges under Directorate of Higher Education with effect from the beginning of the next academic year 2018-19.

Sr. No.	Name of the Officer & Designation	Place of present posting	Transferred at
1	2	3	4
1.	Shri Paresh Lingadkar, Assistant Professor in Commerce (Management)	Sant Sohirobanath Ambiyee Government College of Arts and Commerce, Virnoda, Pernem-Goa	Government College of Arts, Science and Commerce, Khandola-Goa.
2.	Shri Mahesh M. Kerkar, Assistant Professor in Commerce	Government College of Commerce and Economics, Borda, Margao-Goa	Sant Sohirobanath Ambiyee Government College of Arts and Commerce, Virnoda, Pernem-Goa.
3.	Ms. Lily Fathima Endro, Assistant Professor in Commerce	Government College of Arts, Science and Commerce, Khandola-Goa	Government College of Commerce and Economics, Borda, Margao-Goa.

The above Assistant Professors shall stand relieved from their present place of posting with effect from 31-05-2018 (A.N.) and shall join to their respective new place of posting with effect from 01-06-2018 (F.N.).

Copy of joining report to be furnished to this Directorate for record.

By order and in the name of the Governor of Goa.

*Diwan N. Rane*, Under Secretary (Higher Education).

Porvorim, 22nd February, 2018.

**Goa Human Rights Commission**

Proceeding No. 45/2015

**Inquiry Report**

Ms. Suzana De Souza, Center Co-ordinator, Child Line, Caritas-Goa, Instituto Nasa Senhora de Piedade, D.B. Marg, Nr. Hotel Mandovi, Panaji-Goa, has approached this Commission alleging that Master Christopher Lakra (Lakda), a tribal child was stripped naked and was physically assaulted. It is stated that the Childline reported all the facts to Mapusa Police on 20-01-2015 but the Police have not taken action against the persons who assaulted the minor boy and stripped him naked and tied his hands.

2. Brief facts as narrated by the Complainant in her complaint are reproduced as below:-

- Master Christopher Lakra (Lakda) had gone to the house of the owner Ms. Maria (Trinidad) resident of Cuncheli, behind the playground, near Karaswaddo on 12-01-2015 around 9.00 p.m. as he usually used to watch TV.
- On opening the house he called out "Aunty" but since there was no reply he sat in front of the TV and started listening to songs from his mobile.
- The lights of the sitting room were on. The child also mentioned that persons namely Sonu, Raju and another man whom he could not identify, entered the house and started hitting him brutally and tied his hands with a yellow nylon rope and dragged him out of the living room and beat him again and stripped him naked and brutally beat him and kicked him.
- Later the owner's brother came who asked to untie him and gave him two slaps. Later on the owner Maria came and slapped him and asked to put on his clothes back on as her daughter was there. The child Christopher Lakra was asked to wear his own underwear and the child did so.
- Later the Mapusa Police helpline 100 PCR was called and without any inquiry the police personnel slapped him and asked him "where is the money?" The child was unaware of any money that was missing. He reported that he had only Rs. 50 in his pocket which his father had given him, which was also taken away by Raju.
- He was then taken to the Police Station and Ms. Maria filed a complaint against the child

which was not explained to the child or the parents. Later he was taken to the District Hospital Mapusa for medical examination and lodged at Apna Ghar as a case of child in conflict with law was registered against him and he was produced before JJB.

- Ms. Maria demanded Rs. 5000/- to get the child back from Apna Ghar and the said amount was paid to her, yet the child was not released. Then she demanded 10,000/- more to release the child from Apna Ghar.
- Childline reported all the facts to Mapusa Police on 20th January and still no action have been taken against the persons who assaulted the minor boy, stripped naked and lodged a false complaint against the boy.

3. Taking cognizance of the complaint, this Commission issued notices to 1) The Police Inspector, Women Police Station, Panaji-Goa, 2) The Police Inspector, Mapusa Police Station, Mapusa-Goa and 3) The Superintendent of Police (North), Porvorim-Goa. In pursuance to the notices, the Respondents filed separate replies denying the allegations made by the Complainant. It is the case of the Respondents that on 13-01-2015 at 00.05 hrs. a phone call was received from PCR Panaji informing that theft had taken place in the house near ground at Cuchelim, Mapusa. Immediately on receipt of information, PSI H. Raut Desai and staff left to verify the fact at 00.45 hrs. PSI H. Raut Desai and staff returned to the Police Station and reported that the place in question i.e. house of Maria Trindade at Cuchelim was visited by Police where one boy was caught by people gathered at the place and it was alleged that said boy was involved in house breaking and theft at the residence of Maria Trindade. It is further the case of the Respondents that the said boy was brought at the Police Station and disclosed his name as Christopher Lakad. The Respondents have also stated that Mrs. Maria Trindade, r/o Khalapwado, Cuchelim also came to the Mapusa Police Station and lodged her complaint to the effect that on 12-01-2015 at around 21.00 hrs. boy by name Christopher Lakad, s/o Albert Lakad, r/o Khalapwado, Cuchelim-Mapusa entered into her house by forcibly pushing open the entrance door and decamped with cash of Rs. 10,000/- (Rupees ten thousand only) from the cupboard inside the house. It is stated that an offence vide Mapusa P.S. Cr. No. 17/2015 U/s 457 380 of IPC was registered.

4. It is further the case of the Respondents that the said Christopher Lakad is juvenile. An

intimation was given to his father for taking him in custody by the Police and after completing the formalities, the said Christopher Lakad was referred for medical examination and thereafter was produced before the Juvenile Justice Board, Mercês-Goa for admission in Apna Ghar. The Respondents stated that neither the juvenile nor his family members have complained about assault on him before the Medical Officer, or when produced before the Principal Magistrate, Juvenile Justice Board, Mercês. Similarly, neither the juvenile nor his family members had complained about assault on the juvenile before the Investigation Officer during the investigation or before Juvenile Justice Board, Mercês. The Respondents have denied that the juvenile was assaulted by the Police or by any person in presence of the Police staff. The Respondents have stated that the action taken by the Police in respect of the complaint filed by Mrs. Maria Trindade against Christopher Lakad (Juvenile) is in accordance with the law. In short, according to the Respondents, the Police have not violated the human rights of the juvenile who was taken in custody in a criminal case and who was later referred to Apna Ghar, Mercês after observing all legal formalities.

5. We have heard the Complainant and also heard learned Advocate K.L. Bhagat for the Respondents. We have also perused the entire records of this case.

6. The main grievance of the Complainant is that the juvenile Master Christopher Lakra (Lakda) was stripped naked and his hands were tied when he had gone to the house of Ms. Maria (Trindade) on 12-01-2015 around 9.00 p.m. It is her grievance that although the matter was reported to the Police Inspector, Mapusa Police Station and Police Inspector, Women Police Station, Panaji, no action was taken against the persons who were involved in assaulting and torturing the juvenile Master Christopher Lakra (Lakda). The records indicate that the Police Inspector, Mapusa Police Station, had marked application dated 20-01-2015 received from Mrs. Suzana De Souza, Co-ordinator, Childline, for inquiry and report to PSI Harish Raut Desai. Accordingly, the said PSI Harish Raut Desai conducted an inquiry and found that there was no evidence to substantiate the allegations made by the Complainant. The records further indicate that the Complainant had also filed a complaint before the Police Inspector, Women Police Station dated 25-02-2015 regarding the same incident. In respect of this complaint, Police Inspector, Women Police

Station, Smt. Sudiksha Naik had conducted an inquiry and submitted an inquiry report wherein she had mentioned that there is no evidence to substantiate the allegations in the complaint of Suzana De Souza. She has further stated that there is no sufficient cause to proceed with the complaint as the same is devoid of any merit. Admittedly, the victim in this case is a juvenile. The Women Police Station, Panaji-Goa, is designated as the Special Juvenile Police Unit.

7. A bare reading of the complaint dated 20-01-2015 filed by the Complainant before the Mapusa Police Station and the complaint dated 25-02-2015 filed by the Complainant before the Police Inspector, Women Police Station, prima facie discloses commission of offences of “wrongful confinement” and “voluntarily causing hurt” punishable u/s 342 and 323 of the Indian Penal Code, respectively. The offence u/s 342 of I.P.C. is a cognizable offence. It is apparent that the Mapusa Police as well as the Women Police Station, Panaji-Goa, did not carry out investigation in a fair and proper manner. The investigation of this case by the Police, in our considered opinion smacks malafide. Neither Mapusa Police nor the Women Police Station, Panaji, registered First Information Report against the persons who were involved in wrongfully confining and assaulting the juvenile Master Christopher Lakra (Lakad). Admittedly, the offences have taken place within the jurisdiction of Mapusa Police Station.

8. In the facts and circumstances of this case, we are of the view that the Mapusa Police ought to have registered First Information Report against the persons who were involved in committing the offences against the juvenile Master Christopher Lakra (Lakad). The conclusions drawn by the Police are totally unwarranted and unjustified. The Police have no powers to close the matter on the ground that there is no sufficient evidence against the accused involved in the matter, once it is found that the complaint reveals cognizable offence/offences. In this case as pointed out above, there is prima facie evidence on record that the cognizable offence/offences have taken place. Non-registration of FIR is a clear infringement of the fundamental right of the victim boy as guaranteed under Article 21 of the Constitution of India and also violates the basic human rights of the victim.

9. In the case reported in **(2014) 2 Supreme Court Cases 1 (Lalita Kumari, Petitioner v/s Government of Uttar Pradesh & Others)** the Hon'ble Supreme Court has held that registration

of FIR is mandatory u/s 154 of Cr.PC if the information discloses commission of a cognizable offence and no preliminary inquiry is permissible in such a situation. This is general rule and must be strictly complied with.

10. We are satisfied that the Police have committed gross illegalities by not registering FIR against the persons who were involved in the offences against the juvenile Master Christopher Lakra (Lakda) and have failed to comply with directives issued by the Hon'ble Supreme Court of India. We express our displeasure about the manner in which this case has been handled by the Police in utter violation of basic human rights of the victim. We therefore make the following recommendations:-

- 1) The Police Inspector, Mapusa Police Station, shall register First Information Report on the basis of the complaint filed by the Complainant Ms. Suzana De Souza dated 20-01-2015 and thereafter shall proceed to take further steps in the matter in accordance with law.
- 2) The Director General of Police, Panaji-Goa shall initiate appropriate disciplinary action against the defaulting Police Officials.
- 3) The State of Goa, through its Chief Secretary, Secretariat, Porvorim-Goa, shall pay compensation of Rs. 5,000/- (Rupees five thousand only) to the victim boy/Master Christopher Lakra (Lakad), within a period of thirty days.

Date: 10-04-2017

Place: Panaji-Goa.

Sd/-  
(A.D. Salkar),  
Chairperson,  
Goa Human  
Rights Commission.

Sd/-  
(J. A. Keny),  
Member,  
Goa Human  
Rights Commission.

No. PHQ/PET-CELL/GHRC/MAP-32/17/238/18

Office of the Director General of Police, PHQ,  
Panaji-Goa.

Date: 29-01-2018.

To,  
The Under Secretary,  
Goa Human Rights Commission,  
Old Education Department Bldg.,  
1st Floor, 18th June Road,  
Panaji-Goa.

Sub.- Report into the inquiry report dated 10-04-2017 in proceeding No. 45/2015, filed by Ms. Suzana De Souza.

Ref.- Proceeding No. 45/2015/422 dated 20-06-2017.

Sir,

With reference to the above, in continuation to this office letter No. PHQ/PET-CELL/GHRC/MAP-32/17/1513/17 dated 27-07-2017, I am directed to submit that in respect to recommendation No. 2, PI., Shri Tushar N. Vernekar has been advised to be more cautious in future while dealing with complaints received at Units/Police Station by SP/Traffic. In respect to recommendation No. 3, the amount of Rs. 5,000/- (Rupees five thousand) has been deposited in the account No. 0332127000038 of Christopher Lakda at Canara Bank, Branch Mapusa, through ECS mode of payment (Copy enclosed).

Yours faithfully,

Sd/-

Superintendent of Police,  
Legal and Vigilance,  
Panaji-Goa.

Encl: As stated.

Copy to:-

The Under Secretary (Home),  
Government of Goa,  
Home Department (General),  
Secretariat, Porvorim-Goa..... (w.r.t.1) No. 1/9/2017-  
-HD(G)/GHRC/3355 dated 13-11-2017).

2) No. 1/9/2017-HD(G)/GHRC/173 dated 11-01-2018.

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No. PHQ/PET-CELL/GHRC/MAP-32/17/1116/17

Office of the Director General of Police, PHQ,  
Panaji-Goa.

Date: 09-06-2017.

To,

The Under Secretary,  
Goa Human Rights Commission,  
Old Education Department Bldg.,  
1st Floor, 18th June Road,  
Panaji-Goa.

Sub.- Interim report into the inquiry report dated 10-04-2017 in proceeding No. 45/2015, filed by Ms. Suzana De Souza.

Ref.- Proceeding No. 45/2015/57 dated 13-04-2017.

Sir,

With reference to the above, I am directed to submit that the inquiry report dated 10-04-2017 passed by the Hon'ble Commission in proceeding No. 45/2015 into the complaint filed by Ms. Suzana De Souza, Center Co-ordinator, Child Line, Caritas Goa, Institute Nasa Senhora de Piedade, D. B. Marg, Nr. Hotel Mandovi, Panaji-Goa was forwarded to Superintendent of Police, North, Porvorim-Goa for necessary action and report.

It is submitted that in respect to recommendation No. 1, SP/North has informed that FIR No. 165/2017 u/s 323 IPC and 08 of Goa Children's Act has been registered on 18-04-2017 at Mapusa Police Station into the complaint filed by Mrs. Suzana De Souza (Copy enclosed). However, action in respect to the recommendation No. 2 & 3 is under process. The detail report in the matter will be submitted to your good office later on.

Yours faithfully,

Sd/-

Superintendent of Police,  
Legal and Vigilance,  
Panaji-Goa.

Encl: As stated.

Copy to:-

The Under Secretary (Home),  
Government of Goa,  
Home Department (General),  
Secretariat, Porvorim-Goa ..... (w.r.t. No. 1/9/2017-  
-HD(G)/GHRC/1545 dated 30-05-2017).

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Department of Home

Home—General Division

Office of the Director General of Police

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Order

No. CA-I/229/First Expert/1715/2018

On the recommendation of the Departmental Promotion Committee conveyed by the Goa Public Service Commission vide letter No. COM/II/11/37(1)/2017/1036 dated 25-01-2018 and accepted/ approved by the Government of Goa and conveyed vide letter No. 1/77/2013-HD(G)/421 dated 05-02-2018 by Home Department, Secretariat, Porvorim, the Director General of Police (Goa) is pleased to promote Shri Umanath L. Naik, Second Expert of Finger Print Bureau, Verna to the post of First Expert (Group 'B', Non-Ministerial, Gazetted)

on regular basis in Pay Matrix Level-7 (Rs. 44,900-1,42,400/-) with immediate effect.

2. He shall exercise option for fixation of pay on promotion, if so desired, within a period of one month from the date of issue of this Order.

3. This is issued with the approval of Director General of Police (Goa).

*S. M. Prabhudessai*, Superintendent of Police (HQ).  
Panaji, 12th February, 2018.

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Department of Labour

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**Order**

No. 28/33/2017-LAB/125

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. NHB Agro Industries Private Limited, Plot No. A60 and A61, Madkai Industrial Estate, Madkai, Goa, and its workperson, represented by the Goa Trade and Commercial Workers' Union, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Labour Court-II of Goa at Panaji-Goa, constituted under Section 7(1) of the said Act.

SCHEDULE

- "(1) Whether the action of the management of M/s. NHB Agro Industries Private Limited, Plot No. A60 and A61, Madkai Industrial Estate, Madkai, Goa, in refusing employment to Mrs. Karishma Vaghmare, Operator, with effect from 02-01-2017, is legal and justified?
- (2) If not, what relief the workperson is entitled to?"

By order and in the name of the Governor of Goa.

*A. S. Mahatme*, Under Secretary (Labour).

Porvorim, 20th February, 2018.

**Notification**

No. 28/3/2018-LAB/Part-I/131

The following Judgement passed by the Labour Court-II, at Panaji-Goa, on 30-01-2018 in reference No. LC-II/LCC/09/2017 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*A. S. Mahatme*, Under Secretary (Labour).

Porvorim, 21st February, 2018.

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THE LABOUR COURT-II

GOVERNMENT OF GOA  
AT PANAJI

**(Before Shri Suresh N. Narulkar, Hon'ble  
Presiding Officer)**

Case No. LC-II/LCC/09/2017

Shri Dattaprasad Mohan Prabhu,  
R/o. H. No. 1132, Adav Wada,  
Madkaim, Ponda-Goa. ... Applicant.

V/s

M/s. Terecom Ltd.,  
Plot No. 250 & 102,  
Kundaim Industrial Estate,  
Kundaim-Goa. ... Opponent.

Workman/Party-I present in person.

Opponent absent, marked as Ex-parte

Panaji, Dated: 30-01-2018.

JUDGMENT

1. This judgment shall determine the claim application of the Applicant dated 21-06-2017 filed u/s 33-C (2) of the I.D. Act, 1947.

2. By the present claim application, the Applicant claimed an amount of Rs. 41,188/- (Rupees Forty one thousand one hundred and eighty eight only) towards his legal dues such as medical reimbursement, LTA and leave encashment etc.

3. A notice was duly served on the Opponent. The Opponent was initially represented by its Employee, Shri Suraj Chafadkar and also sought time to settle the matters amicably thrice, however, subsequently on and from 15-09-2017 the said employee of the Opponent failed to remain present. Hence, this court after giving ample opportunities to him, marked an ex-parte order against the

Opponent and an ex-parte proceedings were conducted.

4. This court framed the following issues on 01-12-2017 at Exb. 5.

1. Whether the Applicant proves that he is entitled to receive from the Opponent a sum of Rs. 41,188/- (Rupees Forty one thousand one hundred eighty eight only) medical reimbursement, LTA and leave encashment etc.

2. What Order.

5. My answers to the aforesaid issues are as under:

- (a) Issue No. 1: In the affirmative.  
(b) Issue No. 2: As per final order.

#### REASONS

6. *Issue No. 1:* In order to prove issue No. 1, the Applicant has examined himself and produced on record certain documentary evidence in support of his oral evidence.

The evidence on record indicates that the Applicant was in the employment of the Opponent for the period from 02-04-2012 to 18-06-2014 as Sr. Excise Officer. He was drawing a salary of Rs. 27,039/- per month. The evidence on record indicates that he resigned from service of the Opponent w.e.f. 18-06-2014. The said resignation of the Applicant has been accepted by the management. The evidence on record indicates that by letter dated 16-06-2014 at Exb. 7, the Opponent has clearly admitted that they are liable to pay to the Applicant a sum of Rs. 41,188/- being Rupees 17,399/- towards medical reimbursement, Rs. 18,165/- towards LTA and Rs. 5624/- towards his leave encashment. The evidence on record indicates that an amount of Rs. 10,000/- has been paid to the Applicant by demand draft No. 107995 dated 21-08-2017 as a first installment in lieu of his full and final settlement. Thus, an amount of Rs. 31,188/- is still due and payable to the Applicant. Hence, it is held that the Applicant proved that an amount of Rs. 31,188/- is due and payable to him from the Opponent. The issue No. 1 is therefore answered in the affirmative.

In view of above and with regards to the facts and circumstances of the case, I pass the following order:

#### ORDER

1. The claim application of the Applicant dated 21-06-2017 is hereby allowed. Consequently, it is held that the Opponent, M/s. Terecom

Ltd., is hereby directed to pay to the Applicant, Shri Dattaprasad Mohan Prabhua sum of Rs. 31,188/- (Rupees Thirty one thousand one hundred and eighty eight only) within two months from the date of passing of the present order, failing which it shall bear a simple interest @ 9% p.a. from the date of passing of the present order.

2. No order as to cost.

Pronounced in the Open Court.

Sd/-  
(Suresh N. Narulkar),  
Presiding Officer,  
Labour Court II.

#### Notification

No. 28/3/2018-LAB/Part-I/130

The following Judgement passed by the Labour Court-II, at Panaji-Goa, on 30-01-2018 in reference No. LC-II/LCC/08/2017 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 21st February, 2018.

THE LABOUR COURT-II  
GOVERNMENT OF GOA  
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble  
Presiding Officer)

Case No. LC-II/LCC/08/2017

Shri Sameer Nakul Sawant,  
R/o. H. No. 202/8,  
Assonora, Bardez-Goa. ... Applicant

V/s  
M/s. Terecom Ltd.,  
Plot No. 250 & 102,  
Kundaim Industrial Estate,  
Kundaim-Goa. ... Opponent

Workman/Party-I present in person.

Opponent absent, marked as Ex-parte

Panaji, Dated: 30-01-2018.

#### JUDGMENT

1. This judgment shall determine the claim application of the Applicant dated 28-06-2017 filed u/s 33-C (2) of the I.D. Act, 1947.



2. By the present claim application, the Applicant claimed an amount of Rs. 81,981/- (Rupees Eighty one thousand nine hundred eight one only) towards his legal dues such as medical reimbursement, gratuity and LTA etc.

3. A notice was duly served on the Opponent. The Opponent was initially represented by its Employee, Shri Suraj Chafadkar and also sought time to settle the matters amicably thrice, however, subsequently on and from 15-09-2017 the said employee of the Opponent failed to remain present. Hence, this court after giving ample opportunities to him, marked an ex-parte order against the Opponent and an ex-parte proceedings were conducted.

4. This court framed the following issues on 01-12-2017 at Exb. 4.

1. Whether the Applicant proves that he is entitled to receive from the Opponent a sum of Rs. 81,981/- (Rupees Eighty one thousand nine hundred eight one only) towards his medical reimbursement, LTA and gratuity etc.

2. What Order.

5. My answers to the aforesaid issues are as under:

- (a) Issue No. 1: In the affirmative.  
(b) Issue No. 2: As per final order.

#### REASONS

6. *Issue No. 1:* In order to prove issue No. 1, the Applicant has examined himself and produced on record certain documentary evidence in support of his oral evidence.

The evidence on record indicates that the Applicant was in the employment of the Opponent for the period from 18-11-2009 to 11-03-2016 as IT Officer. He was drawing a salary of Rs. 19,000/- per month. The evidence on record indicates that he resigned from service of the Opponent w.e.f. 11-03-2016. The said resignation of the Applicant has been accepted by the management. The evidence on record indicates that by letter dated 21-01-2017 at Exb. 7, the Opponent has clearly admitted that they are liable to pay to the Applicant a sum of Rs. 81,981/- being rupees 29,001/- towards medical reimbursement, Rs. 17,787/- towards leave encashment and Rs. 35,193 towards his gratuity.

The evidence on record indicates that an amount of Rs. 10,000/- has been paid to the Applicant by demand draft No. 107996 dated 21-08-2017 as a first installment in lieu of his full and final settlement. Thus, an amount of Rs. 71,981 is still due and payable to the Applicant. Hence, it is held that the Applicant proved that an amount of Rs. 71,981/- is due and payable to him from the Opponent. The issue No. 1 is therefore answered in the affirmative.

In view of above and with regards to the facts and circumstances of the case, I pass the following order:

#### ORDER

1. The claim application of the Applicant dated 28-06-2017 is hereby allowed. Consequently, it is held that the Opponent, M/s. Terecom Ltd., is hereby directed to pay to the Applicant, Shri Sameer Nakul Sawant a sum of Rs. 71,981/- (Rupees Seventy one thousand nine hundred and eighty one only) within two months from the date of passing of the present order, failing which it shall bear a simple interest @ 9% p.a. from the date of passing of the present order.
2. No order as to cost.

Pronounced in the Open Court.

Sd/-  
(Suresh N. Narulkar),  
Presiding Officer,  
Labour Court II.

#### Order

No. 28/22/2017-LAB/139

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of PWD Labour Supply Society, C/o. PWD, Altinho, Panaji, Goa and their workperson Mrs. Andrea Fernandes, represented by the Goa Trade and Commercial Workers Union, in respect of the matter specified in the Schedule hereto (hereinafter referred to as the "said dispute");

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Clause (c) of sub-section (1) of Section

10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the "said Act"), the Government of Goa hereby refers the said dispute for adjudication to the Labour Court-II of Goa at Panaji-Goa, constituted under Section 7(1) of the said Act.

Sub-Div. IV, Works Div. IX, PWD, Borda, Margao, Goa with effect from 28-06-2013, is legal and justified?

(2) If not, what relief the workperson is entitled to?".

## SCHEDULE

"(1) Whether the action of the management of PWD, Labour Supply Society, c/o PWD, Altinho, Panaji, Goa, in terminating the services of Mrs. Andrea Fernandes, Meter Reader, posted at

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 26th February, 2018.



## Department of Mines

Directorate of Mines & Geology

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## Order

No. 5/2/2007/ADM/MINES/PART/4096

Sanction of the Government is hereby conveyed for continuation of following temporary posts in Group 'A' and Group 'B' category in Directorate of Mines & Geology for further period of one year from 01-03-2018 to 28-02-2019.

Sr. No.	Designation	Pay Scale+Grade Pay	No. of posts	Budget Head
1	2	3	4	5
1.	Dy. Director of Mines	15600-39100+G.P 5400/-	3	2853 -Non Ferrous Mining & Metallurgical Industries
2.	Senior Technical Assistant	9300-34800+G.P 4600/-	1	02-Regulation and Development of Mines
3.	Surveying Officer	9300-34800+G.P 4200/-	1	001-Direction and Administration
4.	Statistical Officer	9300-34800+G.P 4200/-	1	01-Mines Development (Non-Plan)
5.	Research Assistant	9300-34800+G.P 4200/-	1	01-Salaries.
6.	Assistant Geologist	9300-34800+G.P 4200/-	7	
7.	Assistant Accounts Officer	9300-34800+G.P 4600/-	1	2853 -Non Ferrous Mining & Metallurgical Industries
8.	Assistant Geologist	9300-34800+G.P 4200/-	2	02-Regulation and Development of Mines
9.	Surveying Officer	9300-34800+G.P 4200/-	1	001-Direction and Administration
				02-Strengthening of Mines Department (Plan)
				01-Salaries.

The expenditure towards salaries shall be borne from the Budget Head shown against column No. 5.

Prasanna A. Acharya, Director & ex officio Addl. Secretary (Mines & Geology).

Panaji, 27th February, 2018.

Department of Panchayati Raj &  
Community Development

Directorate of Panchayats

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**Notification**

No. 26/DP/SBM/Committees/2017/1349

Government is pleased to make the correction in the committees constituted under the Sub-District Swachh Bharat Mission Management Committees (SDSBMMC) is as below:-

**Corrigendum**

With reference to the Notification No. 26/DP/ /SBM/Committees/2017/7615 dated 26-09-2017 published in Official Gazette, Series II No. 27 dated 05-10-2017. The Column No. 2 Sub-District Swachh Bharat Mission Management Committees (SDSBMMC)

"1) Deputy Collector/SDM – member may be corrected to and read as Deputy Collector/SDM – Chairman".

All other contents remain unchanged.

By order and in the name of the Governor of Goa.

*Sandhya Kamat*, Director & ex officio Jt. Secretary (Panchayats).

Panaji, 27th February, 2018.



Department of Personnel

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**Order**

No. 7/21/2017-PER/605

Read: Order No. 14020/01/2018-UTS-I dated 12-02-2018.

The Governor of Goa is pleased to relieve Shri B. R. Singh, IAS (AGMUT:2005), Secretary (Health), from this Administration with effect from 28-02-2018 to take up his new assignment at Government of NCT of Delhi.

By order and in the name of the Governor of Goa.

*Harish N. Adconkar*, Under Secretary (Personnel-I).

Porvorim, 22nd February, 2018.

Department of Power

Office of the Chief Electrical Engineer

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**Order**

No. CEE/Estt-31-25-88/Lifting(AE(E)/3704

On the recommendation of the Goa Public Service Commission conveyed vide their letter No. COM/II/12/16(1)/2015/1067 dated 13-02-2018, Government is pleased to declare the following officers as having completed satisfactorily their probation period of two years as shown in the table against their names.

Sr. No.	Name of the Officer	Date of joining in regular service as Assistant Engineer (Elect).	Date of completion of probation period
1	2	3	4
1.	Shri Deepak K. Naik (Diploma)	29-05-2003	28-05-2005.
2.	Shri S. D. Shingare (Diploma)	03-06-2009	02-06-2011.
3.	Shri Niranjankumar Jain (Diploma)	03-06-2009	02-06-2011.
4.	Shri Vithal Haldankar (Diploma)	03-06-2009	02-06-2011.
5.	Shri Jairam T. Sawant (Diploma)	03-06-2009	02-06-2011.

By order and in the name of the Governor of Goa.

*N. Neelakanta Reddy*, Chief Electrical Engineer & ex officio Addl. Secretary.

Panaji, 26th February, 2018.



Department of Public Health

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**Order**

No. 4/21/2009-II/PHD/438

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/11/30(10)/2012/1056 dated 09-02-2018, Government is pleased to promote Dr. Markandeya Tiwari, Lecturer to the post of Assistant Professor, Department of E.N.T. in Goa Medical College and

Hospital, Bambolim on regular basis in Level-11 of Pay Matrix of the 7th Pay Commission [Pay Band-3, Rs. 15,600-39,100 with Grade Pay of Rs. 6,600/- (pre-revised)] and other allowances to be fixed as per rules with immediate effect.

The promotion is made against the vacancy occurred due to promotion of Dr. Carnegie D'Sa, Assistant Professor to the post of Associate Professor in the Department of E.N.T., Goa Medical College vide Order No. 4/21/2009-II/PHD dated 14-02-2018.

By order and in the name of the Governor of Goa.

*Trupti B. Manerkar*, Under Secretary (Health).

Porvorim, 23rd February, 2018.

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**Order**

No. 21/3/2001-I/PHD/580

Read: Government Order No. 21/3/2001-I/  
/PHD/483 dated 13-02-2018.

Government is pleased to accept the notice of voluntary retirement dated 04-01-2018 tendered by Dr. Neil Barreto, Senior Orthopaedic Surgeon, North Goa District Hospital, Mapusa under Directorate of Health Services in terms of O.M. No. 12-1-89-Fin(R&C) dated 29-11-1989 and O.M. No. 12/6/2001-Fin (R&C) dated 30-09-2009 issued by the Finance (Rev. & Cont.) Department. Dr. Neil Barreto, Senior Orthopaedic Surgeon, North Goa District Hospital, Mapusa stands relieved from the post of Senior Orthopaedic Surgeon, North Goa District Hospital, Mapusa under Directorate of Health Services w.e.f. 04-04-2018 (F.N.).

This issues in supersession of Government Order No. 21/3/2001-I/PHD/483 dated 13-02-2018.

By order and in the name of the Governor of Goa.

*Maria Seomara De Souza*, Under Secretary (Health).

Porvorim, 22nd February, 2018.

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**Department of Tourism**

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**Order**

No. 3/6(139)(Part)/2013/DT/4499

Whereas, the Under Secretary, Home Department (General) vide letter No. 1/7/90-HD (G) dated 18-05-1992 has approached the Department of Tourism for transferring land admeasuring an

area of 2,985 sq. mtrs. to the Police Department (Government of Goa) for the purpose of setting up of Police Station at the Colva village from the above acquired land.

And whereas, the Under Secretary (Tourism) vide letter No. 3/13/92-STE (T) dated 25-05-1993 has conveyed Government approval in-principle for transferring an area admeasuring 2,985 sq. mtrs. to the Police Department for the aforesaid purpose from the land which has been initially acquired for the Colva Pilot Project admeasuring 61,116 sq. mtrs. vide the Awards bearing No. LQN/15/80-81 dated 30-03-1981 and No. LQN/15/80-81 dated 12-03-1982 respectively; along with directions to recoup the cost of land from the Police Department including all the expenditure incurred by the Department of Tourism by book transfer or otherwise so as to utilize the said amount for various activities of the Department of Tourism.

And whereas, the Department of Tourism has felt that the said land would serve as a prime location for many upcoming Tourism Projects due to which another parcel of land which has been acquired by the Department of Tourism admeasuring 16,201 sq. mtrs. under Sy. Nos. 23/7, 8, 9 (part), 10, 11, 12, 14 (part), 24/9 (part), 12, 14, 25 (part), 26 (part), 25/1 (part), 3 (part), 8 (part), 9 (part), 10 (part) & 11 (part) at Colva for the purpose of parking and recreational facilities in 1984 vide the Award No. 3/35/81-LAO dated 14-08-1984 has been decided for transfer to the Police Department.

And whereas, to ascertain the exact location, the Department of Tourism calculated the actual area as per ground feasibility being 1,660 sq. mtrs. including the area left for 6.00 mtr. road access under Survey Numbers 24/9 (part), 25 (part), 26 (part), 25/3 (part), 8 (part) and 9 (part).

And whereas, the Government has accorded approval on 13-02-2015 for transferring the said land admeasuring 1,660 sq. mtrs. to the Police Department and the Finance (Exp.) Department vide U.O. No. 1400004266 dated 01-02-2016 has concurred the said transfer of land.

And whereas, the Government in its XXIVth Cabinet Meeting of the Council of Ministers held on 28-12-2017 has conveyed its approval for the said transfer of land on the conditions that the land will be transferred to the Police Department on 'No Profit No Loss' Basis and if for any reason, the said land is not utilized in its entirety for the proposed Police Station, the same will be reverted back to the Department of Tourism.

Therefore, in view of the Government approval conveyed hereinabove, land under the ownership of Department of Tourism described in the Schedule below and delineated in the enclosed Plan stands hereby transferred to the Police Department for the said purpose.

## SCHEDULE

District	Taluka	Village/ /City	Survey/P.T.S./ /Chalta No.	Area
South Goa	Salcete	Colva	24/9 (part), 25 (part), 26 (part), 25/3 (part), 8 (part), and 9 (part)	1,660 sq. mtr.

By order and in the name of the Governor of  
Goa.

*V. P. Dangui*, Director & ex officio Joint Secretary  
(Tourism).

Panaji, 14th February, 2018.



Department of Town & Country Planning

## Notification

No. 21/1/TCP/2018/SC/481

In exercise of the powers conferred by sub-section (1) of Section 6 of the Goa (Regulation of Land Development and Building Construction)

Act, 2008 (Goa Act 6 of 2008) and in supersession of the Government Notification No. 21/1/TCP/2015/SC/1323 dated 31-03-2015, published in the Official Gazette, Series II No. 1 dated 02-04-2015, the Government of Goa hereby appoints a "Steering Committee" consisting of the following members, namely:-

- |   |     |                   |
|---|-----|-------------------|
| 1) Hon'ble Chief Minister                       | ... | Chairman.         |
| 2) Hon'ble Minister for Town & Country Planning | ... | Member.           |
| 3) Hon'ble Minister for Urban Development       | ... | Member.           |
| 4) Hon'ble Minister for Panchayats              | ... | Member.           |
| 5) Chief Secretary                              | ... | Member.           |
| 6) Secretary (Urban Development)                | ... | Member.           |
| 7) Secretary (Town and Country Planning)        | ... | Member.           |
| 8) Secretary (Panchayats)                       | ... | Member.           |
| 9) Chief Town Planner (Administration)          | ... | Member Secretary. |

This Notification shall come into force from the date of its publication in the Official Gazette.

By order and in the name of the Governor of  
Goa.

*B. R. Singh*, IAS, Secretary (TCP).

Panaji, 22nd February, 2018.

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