

Panaji, 7th February, 2019 (Magha 18,1940)

SERIES II No. 45

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 44 dated 31-01-2019 namely, Extraordinary dated 31-01-2019 from pages 843 to 844 regarding Notification from Department of Finance.

GOVERNMENT OF GOA

Department of Agriculture
Directorate of Agriculture

Order

No. 2/25/2018-19/D.Aagri(Part)/329

On the recommendation of the Goa Public Service Commission vide their letter No. COM/II/12/2(1)/2014/366 dated 25-01-2019, the probation period of the following Assistant Agricultural Officers, Group 'B' Gazetted Officers of this Directorate in the pay band of PB-II Rs. 9,300-34,800+4,200/- Grade Pay (Level-6 in the 7th Pay Commission Matrix) have been lifted as they have completed probation period satisfactorily as shown below and they also have been confirmed against the post of Assistant Agricultural Officer with immediate effect.

Sr. No.	Name of the officer	Date of joining in regular service as Assistant Agricultural Officer	Date of completion of probation period
1.	Shri Nilesh K. Vaigankar	08-08-2013	07-08-2015.
2.	Smt. Pallavi Rudresh Shetye	17-08-2015	16-08-2017.
3.	Kum. Milan S. Gaonkar (ST)	11-03-2016	10-03-2018.

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

Madhav B. Kelkar, Director & ex officio Jt. Secretary (Agriculture).

Tonca, Caranzalem, 1st February, 2019.

Department of Animal Husbandry & Veterinary Services

Order

No. 2/13/95-AH (Part)/2018-19/6653

Government is pleased to order the transfer of the following Assistant Director in the Directorate of Animal Husbandry & Veterinary Services, with immediate effect and in public interest to the station as indicated against his name:-

Sr. No.	Name with designation	Present place of posting	New place of posting
1.	Dr. Prashant Naik, Assistant Director	Key Village Scheme, Curti-Ponda	Veterinary Hospital, Sonsodo.

The Officer shall be entitled for transfer TA/DA as per rule.

The Officer shall join his new place of posting with immediate effect.

The above Official shall draw his salary at new place of posting from month of February, 2019 onwards.

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

Dr. Santosh V. Desai, Director & ex officio Joint Secretary (AH).

Panaji, 31st January, 2019.

Order

No. 2/13/95-AH (Part)/2018-19/6654

On the recommendations of the Goa Public Service Commission as conveyed under letter No. COM/II/11/3(2)/2014/309 dated 08-01-2019, Government is pleased to promote the following

Officers to the post of Assistant Director, Group "A" Gazetted on regular basis in the Directorate of Animal Husbandry & Veterinary Services, Panaji, in Level 10 of the Pay Matrix plus other admissible allowances with immediate effect and post them to the establishments as indicated against their names.

Sr. No.	Name of the officer	Place of posting
1.	Dr. Satyavan B. Naik	Government Piggery Farm, Curti-Ponda.
2.	Dr. (Mrs.) Veena S. Kumar	Stockmen Training Centre, Curti-Ponda.
3.	Dr. Nitin S. Naik	Government Livestock Farm, Dhat.
4.	Dr. Shirish S. Gaonkar	Key Village Scheme, Curti-Ponda.
5.	Dr. Shirishkumar S. Betkekar	Cattle Breeding Farm, Copardem.
6.	Dr. Prakash V. Korgaonkar	Veterinary Hospital, Mapusa.

The above officers shall be on probation for a period of 2 (two) years from the date of their joining.

The following officers shall hold the post of Assistant Director in the Directorate of Animal Husbandry and Veterinary Services on "Officiating Basis".

Sr. No.	Name of the officer	Place of posting
1.	Dr. Rajesh G. Kenny	Veterinary Dispensary, Bicholim.
2.	Dr. Mohan Ganpat Umarye	Veterinary Hospital, Curti-Ponda.

The above officers holding post of Assistant Director on officiating basis shall not hold any right against the post of Assistant Director.

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

Dr. Santosh V. Desai, Director & ex officio Joint Secretary (AH).

Panaji, 31st January, 2019.

Department of Civil Supplies and Consumer Affairs

Corrigendum

No. DCS/ENF/DSB-24/2018-19/320

Read: Order No. DCS/ENF/DSB-24/2017-18/547 dated 21st March, 2018 published in the Official Gazette of Goa, Series II No. 52 dated 29th March, 2018.

In the above read order the name "Shri Franklin Ferrao" appearing in the 2nd para of the order, shall be omitted. Rest of the contents remains unchanged.

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

Sandhya Kamat, Director & ex officio Joint Secretary (Civil Supplies & Consumer Affairs).

Panaji, 28th January, 2019.

Department of Environment

Order

No. 1/20/18-PCB/Lab-13798/836

Sub.: Preparation an action plan for "Restoration of polluted riverine-stretches".

Ref.: 1. Order dated 20-9-2018 issued by the Hon'ble National Green Tribunal in the matter of Application No. 673/2018.

2. No. Tech/45(A)/RPRS/RDS/2018-19/1311 dated 12-10-2018 letter issued by the CPCB.

In supersession earlier sanction order issued vide order No. 1/20/18-PCB/Lab-13795/744 dated 26-12-2018, the State Government hereby constitutes Special Environment Surveillance Task Force with the following members:

For North Goa District

1. District Magistrate (North) — Chairman.
2. Superintendent of Police (North) — Member.
3. Dr. Mohan Girap, Scientist 'C' GSPCB — Member.
4. Ms. Reina Fernandes, Secretary, District Legal Services Authority, North Goa District — Member.

For South Goa District

1. District Magistrate (South) — Chairman.
2. Superintendent of Police (South) — Member.
3. Mrs. Jenica Sequirra, Scientist 'C' GSPCB — Member.
4. Secretary, District Legal Services Authority, South Goa District — Member.

Note: Special Environment Surveillance Task Force will ensure that the no illegal mining take place in the river belt of polluted stretches as provide in the list attached to this order.

This is issued with the approval of the State Government vide U.O. No. 9318 dated 31-10-2018.

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

Sanjeev Joglekar, I/C Director (Environment),
Porvorim, 31st January, 2019.

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Department of Finance
Revenue & Control Division

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Notification

No. 38/1/2017-Fin(R&C)(90)

- Ref.: 1) Notification No. 38/1/2017-Fin(R&C)(35) dated 5th January, 2018, published in the Official Gazette, Series II No. 41 dated 11th January, 2018.
- 2) Notification No. 38/1/2017-Fin(R&C)(53) dated 3rd April, 2018, published in the Extraordinary Official Gazette No. 3, Series II No. 52 dated 4th April, 2018.

The exercise of the powers conferred by Section 96 of the Goa Goods and Services Tax Act, 2017 (Goa Act 4 of 2017) read with Rule 103 of the Goa Goods and Services Tax Rules, 2017, and in supersession of Government notifications referred above, except as regards things done or omitted to be done before such supersession, the Government of Goa hereby re-constitutes the Goa Authority for Advance ruling consisting of the following members, namely:-

(a) Additional Commissioner of State Tax, Goa State (in charge of Authority for Advance Ruling Section).

(b) Additional Commissioner, Central GST, Goa.

This Notification shall come into force with immediate effect.

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

Sushama D. Kamat, Under Secretary, Finance (R&C).

Porvorim, 31st January, 2019.

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Department of Home

Home—General Division

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Order

No. 17/63/2008-HD(G)/DSW/300

Government is pleased to re-constitute the Executive Committee of Special Fund for re-construction and rehabilitation of ex-servicemen and their dependents in the State of Goa. The Executive Committee shall decide/recommend cases/sanction expenditure received during the intervening period of State Managing Committee meeting. The Executive Committee of Special fund shall be valid for a period of 2 years.

1. Chief Secretary — Chairman.
2. Station Commander — Vice-Chairman.
3. Collector, North Goa District — Member.
4. Collector, South Goa District — Member.
5. Brig. N. H. Braganza (retd.) — Member.
6. Col. V. R. Rebello (retd.) — Member.
7. Cdr. Anup P. Keni (retd.) — Member.
8. Cdr. Parijat Sinha (retd.) — Member.
9. Secretary, Department of Sainik Welfare — Member Secretary.

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

Neetal P. Amonkar, Under Secretary (Home).

Porvorim, 21st January, 2019.

Order

No. 20/26/66-HD(G)/Vol.III/Part/412

Sanction of the Government is hereby accorded to incur an expenditure of Rs. 3,87,500/- (Rupees three lakhs eighty seven thousand five hundred only) towards payment in cash in lieu grant for the Post Independence Gallantry/Non Gallantry award winners to the following 22 awardees by the Department of Sainik Welfare.

List of Gallantry/Non Gallantry Award Winners 2018-19

Sr. No.	Name of awardees	Award	Total annuity	
1.	Late Wg Cdr V B Sawardekar	KC- 55000/- AVSM- 5000/-	60000/-	Widow
2.	General S. F. Rodrigues	PVSM- 6000/- VSM- 3000/-	9000/-	
3.	Cdr Noel Kelman (Retd.)	KC- 55000/-	55000/-	
4.	Air Mshl C S Naik (Retd.)	PVSM- 6000/- AVSM- 5000/- VSM- 3000/-	14000/-	
5.	Lt. Gen C A Barretto (Retd.)	PVSM- 6000/-	6000/-	
6.	Vice Adm John D'Silva (Retd.)	PVSM- 6000/- AVSM- 5000/-	11000/-	
7.	Rear Adm P. A. Debrass (Retd.)	AVSM- 5000/- NM(G)- 7000/-	12000/-	
8.	Maj Gen (Mrs) G A Saha (Retd.)	AVSM- 5000/- VSM- 3000/-	8000/-	
9.	Cmde K P Mathew (Retd.)	AVSM- 5000/-	5000/-	
10.	Brig Ian da Costa (Retd.)	VSM- 3000/-	3000/-	
11.	Wg Cdr Cecil Barretto (Retd.)	VSM- 3000/-	3000/-	
12.	CPO Nathu Singh Tomar	NM(G)- 7000/-	7000/-	
13.	Hony Sub Lt Kans Raj	NM(G)- 7000/-	7000/-	
14.	Late Spr Ramchandra S. Shinde	SC- 35000/-	35000/-	Mother
15.	Vice Adm M R Schunker	PVSM- 6000/- AVSM- 5000/-	11000/-	
16.	Gp. Capt C A Dalton	VM(G)- 7000/-	7000/-	
17.	Late Lt. Narendra A. Mayekar	KC- 55000/-	55000/-	Widow
18.	Maj. Gen Pakala Venkateswarlu	AVSM- 5000/- VSM- 3000/-	8000/-	
19.	Admiral Sureesh Mehta	PVSM- 6000/- AVSM- 5000/-	11000/-	
20.	Air Vice Marshal Giles Gomez	VSM- 3000/-	3000/-	
21.	Col I. J. Crasto	KC- 55000/-	55000/-	
22.	Brig. Sanjay Kumar Vidyarthi	SM- 2500/-	2500/-	
			Rs. 3,87,500/-	

(Rupees three lakhs eighty seven thousand five hundred only)

All the award winners have to be paid one time cash and cash in lieu of land once in a year (Annually).

The expenditure shall be debited to Budget Head: 2235–Social Security & Welfare, 60–Other Social Security & Welfare, 200–Other Programmes, 05–Cash Grant/Cash in lieu of land Grant for the Post Independence Gallantry, 32–Contribution.

The amount will be drawn and disbursed by the Secretary, Department of Sainik Welfare, Panaji-Goa.

This issues with the concurrence of Finance (Exp.) Department vide their FMS No. 1400043634 dated 07-01-2019.

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

Neetal P. Amonkar, Under Secretary (Home).

Porvorim, 29th January, 2019.



Department of Industries

Order

No. 3/23/2015-IND/48

Government of Goa is pleased to constitute a State Level Joint Working Group (JWG) for successful implementation of Pradhan Mantri Yuva Yojana (PMYY) in the State with following composition.

- | | | | |
|--|----------------|--|---------------------|
| 1. Secretary, Industry | — Chairperson. | 12. Assistant District Educational Inspector, Directorate of Education, Porvorim-Goa | — Member. |
| 2. Secretary, School Education | — Member. | 13. Manager, EDC Limited, 1st Floor, EDC House, Panaji-Goa | — Member. |
| 3. Secretary, Higher Education | — Member. | 14. Deputy Manager, EDC Limited, 1st Floor, EDC House, Panaji-Goa | — Member. |
| 4. Secretary, Labour | — Member. | 15. Director, Directorate of Skill Development & Entrepreneurship, Government of Goa, Patto Plaza, Shramashakti Bhavan, Panaji-Goa | — Member. |
| 5. Nodal Manager for the State | — Member. | 16. Principal, Farmagudi Government Industrial Training Institute, Ponda-Goa | — Member. |
| 6. Assistant Director (CAD), Directorate of Technical Education, Porvorim-Goa | — Member. | 17. Principal, Mapusa Government Industrial Training Institute, Peddem, Mapusa-Goa | — Member. |
| 7. Deputy Director of Higher Education, Directorate of Higher Education, Porvorim-Goa | — Member. | 18. Regional manager, Regional E-Hub | — Member Secretary. |
| 8. Professor, Department of Biotechnology, Goa University, Taleigao Plateau, Goa | — Member. | The terms of reference of the above Committee shall be as under:- | |
| 9. Associate Professor, Department of Economics, BITS Pilani Goa Campus, Zuarinagar, Sancoale-Goa | — Member. | (i) Members at Serial No. 6 to 17 are nominated for a period of 02 years (by rotation) with effect from issue of this order. | |
| 10. Assistant Professor, Department of Economics, BITS Pilani Goa Campus, Zuarinagar, Sancoale-Goa | — Member. | (ii) Joint Working Group is responsible for:- | |
| 11. Assistant Director of Education, Directorate of Education, Porvorim-Goa | — Member. | (a) Recommending project institutes in the State. | |
| | | (b) Co-ordinate and converge entrepreneurship development initiatives. | |
| | | (c) Monitoring of the Scheme. | |
| | | (d) Providing short and medium-term policy recommendation/inputs to the Scheme to enhance access. | |

(e) Suggest course corrections at the State level within the ambit of the scheme.

(iii) JWG is required to meet bi-annually to review the implantation of the scheme in the State.

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

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

Porvorim, 29th January, 2019.

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Department of Labour

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Notification

No. 28/2/2019-LAB/97

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 11-01-2019 in Case No. A-IT/11/14 in Ref. No. IT/56/12 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, 28th January, 2019.

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IN THE INDUSTRIAL TRIBUNAL AND
LABOUR COURT

GOVERNMENT OF GOA

AT PANAJI

(Before Mr. Vincent D'Silva, Hon'ble Presiding Officer)

Case No. A-IT/11/14
in

Ref. No. IT/56/12

M/s. Sonafi India Ltd.,
Plot No. L-121, Phase III,
Verna Industrial Estate,
Verna, Goa-403 722.

... Applicant/Party I

V/s

Shri Krishna Shirsodkar,
S-6, Prabhu Enclave,
Sapana Park,
Ponda, Goa-403 401.

... Opponent/Party II

Applicant/Party I represented by Ld. Adv. Shri M. S. Bandodkar.

Opponent/Party II represented by Ld. Adv. Shri S. R. Naik Tari.

AWARD

(Delivered on this the 11th day of the month of January of the year 2019)

This is an application filed by the Applicant/Party I under Section 33(2)(b) of the Industrial Disputes Act, 1947.

2. Briefly stated, the case of the Applicant is as follows:

That the Opponent was employed at Verna as operator and that he committed serious acts of misconducts as per the Certified Standing Orders applicable to him and therefore he was issued a suspension order dated 30-8-2011 and thereafter, he was issued chargesheets dated 9-9-2011 and 26-9-2011. The enquiry was conducted by following the principles of natural justice, by appointing an impartial Enquiry Officer. The Enquiry Officer after appreciating the evidence and documents on the record of the enquiry, submitted his findings dated 8-2-2014 to the management, wherein he came to the conclusion that the charges have been proved against the Opponent in respect of both the chargesheets and having regards to the gravity and seriousness of the charges found proved against the workman, the management had come to the conclusion that there is no extenuating circumstances to take any lenient view in the matter and the Management therefore decided to dismiss the Opponent from the services of the Applicant and accordingly, the Opponent was dismissed from the services with effect from 2-4-2014 vide the dismissal letter dated 2-4-2014. A cheque for one month's wage/salaries was also sent to the Opponent as required under the law and therefore prayed to approve the action taken by the Applicant of dismissal of the Opponent under Clause (b) sub-section (2) of Section 33 of the Industrial Disputes Act, 1947.

3. The Opponent/Party II filed a written statement denying the case of the Applicant inter-alia claiming that the Applicant has not conducted a fair and proper enquiry by following the principles of natural justice and as per the provisions of law and that the Applicant is not entitled to the approval of action as prayed for. The Applicant in collusion with Mr. Sachin Naik, has falsely implicated him in the alleged incident with sole intention of terminating the services of the confirmed workman being an unionized member. Rejoinder to the written statement of the Opponent came to be filed by the Applicant at Exb. 6 denying the case put forth by the Opponent.

4. Based on the pleadings of the parties, the following issues were framed in the matter at Exb. 9.

- 1) Whether the Applicant proves that the domestic enquiry held against the Opponent is fair and proper?
- 2) Whether the Applicant proves that the charges of misconduct are proved prima-facie against the Opponent?
- 3) Whether the Applicant proves that the order of dismissal effected vide letter dated 2-4-2014 against the Opponent is just and legal?
- 4) Whether the approval be accorded u/s 33(2)(b) of I.D. Act to the action of the Applicant of dismissing the Opponent from the service?
- 5) What Award?

5. It is a matter of record that preliminary issues No. 1 and 2 were answered vide Order dated 29-09-2017 at Exh. 22 and held that domestic enquiry initiated against the workman, Shri Krishna Shirsodkar is fair and proper. It was also observed that the charges of misconduct leveled against the Opponent by Applicant are proved to the satisfaction of the Tribunal.

6. The Opponent in support of issues No. 3, 4 and 5 has examined himself and produced on record a copy of letter dated 17-7-1998 at Exh. 26, a copy of E.S.I.C. Card at Exh. 27 and a copy of reply to show cause notice dated 28-2-2014 along with registration slip at Exh. 28 colly. The Opponent also examined Shri Rajesh Naik as second witness and closed his case.

7. Heard arguments. Notes of Written arguments came to be placed on record by the Applicant.

8. I have gone through the records of the case and have duly considered the arguments advanced. My answers to the above issues are as follows:

Issue No. 3	...	In the Affirmative.
Issue No. 4	...	In the Affirmative.
Issue No. 5	...	As per Final order

REASONS

Issues No. 3 & 4:

9. Ld. Adv. Shri S. N. Tari for the Opponent has submitted that the Applicant had not led any evidence nor any witnesses have stepped into the witness box to prove the above issues nor there is any suggestion that action by the management against the Opponent is proper, on the contrary,

the Opponent has examined two witnesses viz. Shri Krishna Shirsodkar and Shri Rajesh Naik and therefore issue No. 3 remained unproved by the Applicant. He further submitted that the Tribunal should refuse to accord approval under Section 33(2)(b) of the Act to an order of dismissal or discharge if it appears to it that the employer has acted without any evidence or on a view of facts which could not be reasonably entertained. He further submitted that it is well established in the case of **G. K. Sengupta vs. Hindustan Construction Co. Ltd., 1994 (68) FLR 1117** that the award of punishment for misconduct under the Standing Orders is a matter for the management to decide but the Tribunal is required to consider the propriety or adequacy of the punishment or whether it is excessive or too severe. He further submitted that the punishment being improper and unjust, no approval can be granted.

10. Per contra, Ld. Adv. Shri M. S. Bandodkar for the Applicant has submitted that the evidence on record clearly proves that the company has followed Section 32(2)(b) of the Industrial Disputes Act, which is fortified by the fact that issues No. 1 and 2 have been answered in favour of the company. He further submitted that the scope of jurisdiction under Section 33(2)(b) is limited and cannot be equated with Section 10 of the Industrial Disputes Act and that the Tribunal cannot go into the proportionality of the punishment under above provision of law and it can be considered under Section 11-A, only if reference is made under Section 10 of the Act. The Opponent has repeatedly committed amongst other misconducts, fraud and dishonesty in connection with the profit of the company by making money without doing work and the fraud being a serious act of misconduct, the punishment given by the management is proportionate. The workman has been paid compensation as required under Section 33(2)(b) and has complied with the provisions of the said Act and therefore, the company is entitled for according permission as stipulated under Section 33(2)(b) of the Act. He relied upon the following citations viz. (i) **Cholan Roadways Ltd. vs. G. Thirugnanasambandam, 2005 3 SCC 241:** (ii) **Cominco Binani Zinc Limited vs. K. N. Mohanan and Anr. in O.P. 5425.**

11. Admittedly, by order dated 29-09-2017 the preliminary issue No. 1 and 2 were answered in favour of Applicant/Party I and it was held that the enquiry conducted against the workman/Party II is fair, proper and just and the charges of misconduct leveled against the Opponent by the Applicant are proved to the satisfaction of the Tribunal.

Shri Krishna Shirsodkar has admitted in the cross examination that the order was passed by the Tribunal on 29-9-2017 holding that the enquiry conducted against him was fair and proper and charges of misconduct leveled against him are proved. The other witness, Shri Rajesh Naik has also admitted that he had not participated in the enquiry conducted against the Opponent. The Opponent has produced on record the documents namely letter of appointment at Exh. 26, a copy of ESIC Card and reply to the show-cause notice, which are irrelevant nor they support the above issues. The Opponent had not led any evidence during the enquiry proceedings as well as on fairness of domestic enquiry and charges of misconduct which stood proved by the Applicant/ Party I and therefore, the allegation in the affidavit that false charges have been leveled against him and that the findings of Enquiry Officer dated 8-2-2014 were illegal or that the employer in collusion with one Sachin Naik had falsely implicated him in the alleged incident cannot stand the test of scrutiny nor it is open to the Opponent to canvas such a submission.

12. Learned Advocate Shri Tari has also submitted that the Applicant had not led any evidence on the above issues, however, it is a matter of record that the Applicant had filed an application at Exh. 23 that the Court has passed an order holding enquiry as fair and proper and that as they have led evidence of Shri Durgesh Pai Angle who was cross examined by the Opponent, it does not desire to lead further evidence and if the Opponent desires to cross examine the witness, they are ready to bring the witness. The Opponent initially volunteered to cross examine the witness, however subsequently failed to cross examine him and hence the evidence was closed and thereafter above two witnesses of Opponent were examined. The Opponent therefore cannot claim that no evidence on behalf of Applicant has been led on the above issues.

13. Once it is held that the Applicant have proved issue No. 1 and 2 in its favour, it has only to be seen that the order of dismissal effected vide letter dated 2-4-2014 against the Opponent is just and legal and whether the approval has to be granted to the action of the Applicant under Section 33(2)(b) of the Industrial Disputes Act. There cannot be any dispute that the Applicant followed the procedures required under Section 33(2)(b). It is well settled that the Tribunal cannot go into proportionality of the punishment under Section 33 (2)(b) of the Act as observed in the case of **Cholan Roadways Ltd.**, supra wherein it has been

held that it is neither in doubt nor in dispute that the jurisdiction of the Industrial Tribunal under Section 33(2)(b) of the Industrial Disputes Act is a limited one. The jurisdiction of the Industrial Tribunal under Section 33(2)(b) cannot be equated with that of Section 10 of the Industrial Disputes Act as under Section 11(A) when an industrial dispute relating to discharge or dismissal of a workman has been referred to the Court or to the Tribunal, the Court can go into proportionality of punishment, unlike in the case of approval under Section 33(2)(b) of the Act. The Opponent has also not challenged the punishment of discharge on the ground that it was vindictive, malafide and extremely disproportionate. It is therefore the Tribunal cannot go into justifiability of discharge/ dismissal while considering application under Section 33(2)(b) of the Act.

14. Ld. Adv. Shri M. S. Bandodkar for the Applicant has submitted and rightly so that the Opponent has committed amongst other misconducts, misconduct of dishonesty in connection with his employment. He had obtained benefit under false pretext by making false statement. The charges leveled against him including dishonesty in connection with employers business or property inside the establishment; disorderly, indecent or improper behaviour in the premises of the establishment, wrongfully interfering with the records of attendance or means of recording attendance of oneself or any other employee or willful falsification, defacement, destruction or tampering with the record of the company including fraud and dishonesty have been sufficiently proved by the Applicant in the domestic enquiry. The misconducts alleged and proved by the Applicant/ Party I against the Opponent is very serious in nature and therefore the Applicant is justified in awarding the punishment of dismissal, which cannot be termed as disproportionate in the absence of proof of malafides, unfair labour practices or victimization.

15. The reliance placed on the case of **G. K. Sengupta**, supra is not applicable to the case at hand as in that case the parties were not heard and no opportunity was given to the employee to show that the findings of the domestic enquiry was not supported by any legal material. The order was passed merely on consideration of the application of the employer for approval and the written statement of the employee and the Hon'ble Court has held that no opportunity of hearing was given, unlike in the present case wherein the Applicant had complied with the provision of

Section 33(2)(b). The Applicant has held a proper domestic enquiry in the present case in which all the conditions prescribed by Section 33(2)(b) have been satisfied. The Opponent has also been paid the compensation as provided by the proviso. The Court has also held that the fair and proper enquiry has been conducted and that principle of natural justice has been followed and the charges against the Opponent have been proved. There is therefore no occasion to hold that the order of dismissal effected vide letter dated 2-4-2014 against the Opponent is unjust and illegal and therefore, the action of the Applicant of dismissing the Opponent from the service has to be approved. The Opponent has not shown any justification in refusing to accord approval to the action taken by the Applicant and therefore, issue No. 3 and 4 are answered in the affirmative.

Issues No. 5:

16. Once it is held that the domestic enquiry held against the Opponent is fair and proper and that the charges of misconduct are proved against the Opponent and the order of dismissal effected vide letter dated 2-4-2014 against the Opponent is just and legal and that the Applicant have complied with the provision of Section 33(2)(b) of the Act, the approval has to be accorded to the action of the Applicant of dismissing the Opponent from the service as the jurisdiction of the Tribunal is limited and in such a situation the application for approval filed by the Applicant has to be granted. Hence, the above issue is answered accordingly.

17. In the result, I pass the following:

ORDER

- (i) The application for approval filed by Applicant stands granted.
- (ii) Consequently, approval is accorded to the action of the Applicant in dismissing the Opponent from service vide order dated 2-4-2014 as contemplated under Section 33(2)(b) of Industrial Disputes Act, 1947.
- (iii) No order as to costs.
- (iv) Inform the Government accordingly.

Sd/-
(Vincent D'Silva)
Presiding Officer,
Industrial Tribunal and
Labour Court.

Inspectorate of Factories and Boilers

Order

No. 2/13(Part)/ADM-IFB/2018/4029

On the recommendation of the Departmental Promotion Committee as conveyed by Goa Public Service Commission, Panaji, vide letter No. COM/II/12/19(1)/2013/360 dated 24-01-2019, Government is pleased to declare Shri Sanjay Ratnakar Naik, Inspector of Factories (Group B Gazetted) in the Inspectorate of Factories and Boilers, Altinho, Panaji to have satisfactorily completed his probation period of two years on 15-06-2018 and confirm him to the post of Inspector of Factories (Group B Gazetted) with effect from the date of his completion of probation period.

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

Vivek P. Marathe, Chief Inspector & ex officio Joint Secretary (Factories and Boilers).

Panaji, 31st January, 2019.

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Department of Law & Judiciary
Law (Establishment) Division
**Court of the Principal District &
Sessions Judge, North Goa**

No. DSC/HOL/121/2019/795

**Approved List of Holidays and Vacations for
the Year 2019 for the District and Subordinate
Courts in the North Goa District**

Sr. No.	Holidays	Date	Days of the week
1	2	3	4
01.	New Year Day	01-01-2019	Tuesday.
02.	Chhatrapati Shivaji Maharaj Jayanti	19-02-2019	Tuesday.
03.	Mahashivratri	04-03-2019	Monday.
04.	Holi	21-03-2019	Thursday.
05.	Gudi Padava	06-04-2019	Saturday.
06.	Maundy Thursday	18-04-2019	Thursday.
07.	Good Friday	19-04-2019	Friday.
08.	May Day (*)	01-05-2019	Wednesday.
09.	Ramzan-Id/Id-Ul-Fitr (**)	05-06-2019	Wednesday.
10.	Id-Ul-Zuha (Bakri-Id) (**)	12-08-2019	Monday.
11.	Independence Day (*)	15-08-2019	Thursday.
12.	Janmashtami	23-08-2019	Friday.

1	2	3	4
13.	Ganesh Chaturthi (First day) (*)	02-09-2019	Monday.
14.	Ganesh Chaturthi (Second day)	03-09-2019	Tuesday.
15.	Moharrum (**)	10-09-2019	Tuesday.
16.	Mahatma Gandhi Jayanti	02-10-2019	Wednesday.
17.	Dussehra	08-10-2019	Tuesday.
18.	Dhantrayodashi	25-10-2019	Friday.
19.	Diwali 2nd day/ /Govardhan Puja	28-10-2019	Monday.
20.	Bhaubeej	29-10-2019	Tuesday.
21.	Feast of St. Francis Xavier	03-12-2019	Tuesday.
22.	Feast of Immaculate Conception	09-12-2019	Monday.
23.	Goa Liberation Day (*)	19-12-2019	Thursday.
24.	Christmas Eve	24-12-2019	Tuesday.
25.	Christmas Day (*)	25-12-2019	Wednesday.

No days have been proposed as holidays on account of

(1)	Republic Day (*)	26-01-2019	Saturday.
(2)	Hartalika	01-09-2019	Sunday.
(3)	Id-e-Milad (**)	10-11-2019	Sunday.

Summer Vacation

From: 06-05-2019 to 02-06-2019 (Both days inclusive).

Winter Vacation

From: 23-12-2019 to 29-12-2019 (Both days inclusive).

Note:-

1. Please note that the Hon'ble High Court has clarified that the notified holidays and vacations are likely to be modified in near future as per the recommendations of the Shetty Commission and directions issued by the Hon'ble Supreme Court of India in Writ Petition No. 1022/89 (All India Judges' Association Vs. Union of India and others).

2. (*) Are paid holidays for daily rated staff if they are in service on the preceding and the succeeding working days.

3. (**) The holidays at Sr. Nos. 9, 10 and 15 will be availed on the days the Government of Goa declares public holidays.

Irshad Agha, Principal District Judge and Sessions Judge, North Goa, Panaji.

Panaji, 17th January, 2019.

Court of the Principal District & Sessions Judge, South Goa

No. DSC/MAR/HOL-69/2019/552

List of Holidays and Vacations for the Year 2019 for the District and Subordinate Courts in South Goa District

Sr. No.	Holidays	Date	Days of the week
1	2	3	4
01.	New Year Day	01-01-2019	Tuesday.
02.	Chhatrapati Shivaji Maharaj Jayanti	19-02-2019	Tuesday.
03.	Mahashivratri	04-03-2019	Monday.
04.	Holi	21-03-2019	Thursday.
05.	Gudi Padava	06-04-2019	Saturday.
06.	Maundy Thursday	18-04-2019	Thursday.
07.	Good Friday	19-04-2019	Friday.
08.	May Day (*)	01-05-2019	Wednesday.
09.	Ramzan-Id/Id- -Ul-Fitr (**)	05-06-2019	Wednesday.
10.	Id-UI-Zuha (Bakri-Id) (**)	12-08-2019	Monday.
11.	Independence Day (*)	15-08-2019	Thursday.
12.	Janmashtami	23-08-2019	Friday.
13.	Ganesh Chaturthi (First day) (*)	02-09-2019	Monday.
14.	Ganesh Chaturthi (Second day)	03-09-2019	Tuesday.
15.	Moharrum (**)	10-09-2019	Tuesday.
16.	Mahatma Gandhi Jayanti	02-10-2019	Wednesday.
17.	Dussehra	08-10-2019	Tuesday.
18.	Dhantrayodashi	25-10-2019	Friday.
19.	Diwali 2nd day/ /Govardhan Puja	28-10-2019	Monday.
20.	Bhaubeej	29-10-2019	Tuesday.
21.	Feast of St. Francis Xavier	03-12-2019	Tuesday.
22.	Feast of Immaculate Conception	09-12-2019	Monday.
23.	Goa Liberation Day (*)	19-12-2019	Thursday.
24.	Christmas Eve	24-12-2019	Tuesday.
25.	Christmas Day (*)	25-12-2019	Wednesday.

No days have been proposed as holidays on account of

(1)	Republic Day (*)	26-01-2019	4th Saturday.
(2)	Hartalika	01-09-2019	Sunday.
(3)	Id-e-Milad (**)	10-11-2019	Sunday.

Summer Vacation

From: 06-05-2019 to 02-06-2019 (Both days inclusive).

Winter Vacation

From: 23-12-2019 to 29-12-2019 (Both days inclusive).

Note:-

1. Please note that the Hon'ble High Court has clarified that the notified holidays and vacations are likely to be modified in near future as per the recommendations of the Hon'ble Justice Shetty Commission and directions issued by the Hon'ble Supreme Court of India in Writ Petition No. 1022/89 (All India Judges' Association Vs. Union of India and Others).

2. (*) The holidays at Sr. Nos. 8, 11, 13, 23, 25 of the list are paid holidays for daily rated staff if they are in service on the preceding and the succeeding working days and so also at Sr. No. 1 of the list of holidays that have not been proposed on account of 4th Saturday.

3. (**) The holidays at Sr. Nos. 9, 10 and 15 of the list will be availed on the days the Government of Goa declares public holiday and so also at Sr. No. 3 of the list of holidays that have not been proposed on account of Sunday.

Sayonara T. Laad, District Judge-2 & Addl. Sessions Judge, South Goa, Margao.

I/C Principal District & Sessions Judge, South Goa, Margao.

Margao, 28th December, 2018.

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Department of Personnel
Order

No. 22/10/2018-PER/357

The Governor of Goa is pleased to allot the charge of Superintendent of Police (Security), Wireless & Communication, SPCR and ANC to the following officers, in addition to their own duties, with immediate effect, in public interest:-

Sr. No.	Name	Additional charge allotted
1.	Shri Utkrisht Prasoon, IPS, SP (SB) holding charge of Principal PTS, Commandant 1st, 2nd & 3rd IRBn, SP (Training)	SP (ANC).
2.	Shri Bosco George, SP (FRRO)	SP (Security), Wireless & Communication, SPCR.

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

Shashank V. Thakur, Under Secretary (Personnel-II).
Porvorim, 29th January, 2019.

Order

No. 7/13/2014-PER/381

In pursuance to the order No. 19011/3/2018-IFS-1(AGMUT) dated 04-12-2018 of the Government of India; Ministry of Environment, Forest & Climate Change, New Delhi, the Governor of Goa is pleased to post Ms. Yashoda K, IFS (AGMUT:2009) as the Deputy Conservator of Forests (Parks, Gardens & Social Forestry), with effect from 01-02-2019.

Ms. Yashoda K, IFS, joined the Goa administration on 17-12-2018 (b.n.), after availing joining time of 12 days w.e.f. 04-12-2018 to 16-12-2018 and was awaiting posting.

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

Harish N. Adconkar, Under Secretary (Personnel-I).
Porvorim, 30th January, 2019.

Order

No. 7/3/2019-PER/394

Shri Ameya Abhyankar, IAS, Secretary (Information & Technology) shall hold the charge of the post of Director (Mines & Geology), in addition to his duties in public interest with immediate effect.

Shri Prasanna Acharya, Director, Mines & Geology shall report to Department of Personnel for further posting.

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

Harish N. Adconkar, Under Secretary (Personnel-I).
Porvorim, 1st February, 2019.

Notification

No. 7/8/2016-PER (PART-I)/352

In exercise of the powers conferred by Clause (1) of Article 316 of the Constitution of India, read with Regulation 5 of the Goa Public Service Commission (Members and Staff) (Conditions of Service) Regulations, 1988, the Governor of Goa is pleased to appoint Shri Jose Manuel Noronha, as Chairman, Goa Public Service Commission.

The tenure of Shri Jose Manuel Noronha, as Chairman, Goa Public Service Commission will commence from the date on which he enters upon his office upto the date on which he completes

cumulative tenure of six years including service rendered as Ld. Member or until he attains the age of sixty-two years, whichever is earlier.

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

Yetindra M. Maralkar, Additional Secretary (Personnel).

Porvorim, 29th January, 2019.

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Department of Public Health

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Order

No. 4/1/2018-IV/PHD/4938

Sanction of the Government is hereby accorded for re-designation of two posts of Receptionist-cum-Telephone Operator as Lower Division Clerk in Goa Dental College & Hospital, Bambolim with immediate effect.

This issues with the approval of the High Level Empowered Committee (HLEC) constituted with the approval of the Council of Minister in the XXth meeting held on 08-11-2017 vide order No. 1/1/2017-Addl. Secy(PER) dated 22-11-2017 issued by Department of Personnel.

Approval of the High Level Empowered Committee (HLEC) is conveyed vide letter No. 9/13/IDCO/2018-ARD/376 dated 23-11-2018, issued by the Department of Administrative Reforms, Secretariat.

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

Trupti B. Manerkar, Under Secretary (Health-I).

Porvorim, 25th January, 2019.

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Order

No. 4/1/2018-IV/PHD/4939

Sanction of the Government is hereby accorded to transfer one filled post of Assistant Engineer (Electrical) from Goa Dental College & Hospital, Bambolim to the Electricity Department against the vacant post with pay protection for the incumbent and no seniority shall be maintained in the Electricity Department.

This issues with the approval of the High Level Empowered Committee (HLEC) constituted with the approval of the Council of Minister in the XXth meeting held on 08-11-2017 vide order No. 1/1/2017-Addl. Secy(PER) dated 22-11-2017 issued by Department of Personnel.

Approval of the High Level Empowered Committee (HLEC) is conveyed vide letter No. 9/13/IDCO/2018-ARD/376 dated 23-11-2018, issued by the Department of Administrative Reforms, Secretariat.

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

Trupti B. Manerkar, Under Secretary (Health-I).

Porvorim, 25th January, 2019.

◆◆◆
Raj Bhavan

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Order

No. GS/EST/PER/148/2016/289

Read: 1) Application dated 06-12-2018 from Smt. Vanessa D'Cunha e D'Souza, Section Officer.

2) Letter No. 16/3/2016-GAD-III/157 dated 10-01-2019 from Under Secretary (GA) conveying Government approval for extension of deputation for 3rd year.

Consequent upon the approval of the Government conveyed vide letter No. 16/3/2016-GAD-III/157 dated 10-01-2019, by the Under Secretary (GA), General Administration Department, Secretariat, the tenure of deputation period of Smt. Vanessa D'Cunha e D'Souza, Section Officer (Group 'B' Gazetted) in the pay scale at Level 7 is hereby extended for a further period of one year (i.e. 3rd year) w.e.f. 16-12-2018 to 15-12-2019.

2. The deputation of Smt. Vanessa D'Cunha e D'Souza shall be governed by the standard terms and conditions contained in the O.M. No. 13/4/74-PER dated 20-11-2013 issued by the Department of Personnel and as amended from time to time.

3. The expenditure towards pay and allowances of Smt. Vanessa D'Cunha e D'Souza shall be debited to Budget Head "2012—Governor; 03—Governor/ Administration/U.TS—090—Secretariat—01—Secretariat of the Governor (charged); 01—Salaries.

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

Biju Naik, Joint Secretary to Governor.

Raj Bhavan, 31st January, 2019.

Department of Revenue

Order

No. 26/07/01/2018-RD (P.F.II)/289

Read: Order No. 26/2/98-RD(Part) dated 01-05-2015.

In terms of Rule 17 of the Goa Civil Service Rules, 1997 and on the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/12/29(1)/2016/359 dated 24th January, 2018, Government is pleased to declare the following officials to have satisfactorily completed their probation period and confirmed as Inspector of Survey and Land Records, as on 31-12-2016:

1. Smt. Maya Amonkar, ASSO
2. Smt. Anisha A. Matondkar, ISLR and
3. Shri Anand V. Vaigankar, ISLR.

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

Sudin A. Natu, Under Secretary (Revenue-I).

Porvorim, 1st February, 2019.

Corrigendum

No. 26/5/2015-RD/279

Read: Order No. 26/5/2015-RD/2414 dated 12-11-2018.

The figures and words i.e. "24-10-2016" in the above mentioned Order shall be read as "24-10-2017".

The remaining contents of the Order shall remain unchanged.

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

Sudin A. Natu, Under Secretary (Revenue-I).

Porvorim, 28th January, 2019.

Department of Rural Development

Notification

No. DRDA-N/4-355/GGSY/2018-19/2143

In terms of Clause 7 of Goa Gram Samrudhi Yojana (GGSY) Guidelines, notified vide Notification No. DRDA-N/2-268/GGSY/2008-09/1426 dated 01-07-2008, Government of Goa is pleased to reconstitute the Committee for sanctioning the projects under Goa Gram Samrudhi Yojana with immediate effect as follows:

1. Shri Jayesh V. Salgaonkar, — Chairman.
Hon'ble Minister for Rural Development
2. Shri Rajesh Patnekar, — Member.
Hon'ble MLA, Bicholim Constituency
3. Shri Prasad Gaonkar, — Member.
Hon'ble MLA, Sanguem Constituency
4. Shri Virendra G. Shirodkar, — Member.
Sarpanch, V. P. Reis Magos
5. Project Director, DRDA North & — Member.
ex officio Joint Secretary (R.D.)

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

Brijesh D. Manerkar, Project Director & ex officio Joint Secretary (R. D.).

Panaji, 31st January, 2019.

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