

Panaji, 24th July, 2025 (Savana 2, 1947)

**SERIES II No. 17**

# OFFICIAL GAZETTE GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

*Note: There is one Extraordinary issue to the Official Gazette, Series II No. 16 dated 17-7-2025 namely, Extraordinary dated 17-7-2025 from pages 571 to 572 regarding Notification from Department of Finance.*

## GOVERNMENT OF GOA

### Department of Co-operation

Office of the Registrar of Co-operative Societies

#### Order

3/12/Urban Credit/TS II/QZ/2020/RCS/952

Date: 16-Jun-2025

Read:- 1) Circular No. 6-13/81/EST/RCS/Part V/5833 dated 06-03-2020.

2) Order No. 48-8-2001/TS/RCS/III/311 dated 21-04-2017.

3) Order No. 3/12/Urban Credit/TSII/QZ/2020/RCS/3509 dated 21-01-2021.

4) Letter No. 2-5-2012/ARQZ/URBAN/43 dated 05-04-2024 received from the Asstt. Registrar of Co-operative Societies, Quepem Zone, Quepem-Goa.

Whereas, vide Order read at Sr. No. 2 above issued by the Registrar of Co-operative Societies u/s. 86 (1) of the Goa Co-operative Societies Act, 2001 (Goa Act No. 36 of 2001) (hereafter referred to as 'Act') read with Rule 116 (1) of the Goa Co-operative Societies Rules, 2003, Adv. Pandurang N. Parab, Ashutosh Building, Opp. Sales Tax Office, 1st Floor, Curchorem-Goa was appointed as the Registrar's Nominee for deciding the disputes arising in any of the Co-operative Societies referred to him by the Registrar of Co-operative Societies/Asst. Registrars of Co-operative Societies.

And whereas, vide Order read at Sr. No. 3 above, Adv. Pandurang N. Parab was appointed as the dedicated Registrar's Nominee thereby authorizing him to entertain and decide all the disputes submitted to him directly by the Curchorem Urban Co-op. Credit Society Ltd., Curchorem-Goa without routing it through this office. The said authorization was initially for a period of one year w.e.f. 21-01-2021 to 20-01-2022.

And whereas, vide letter dated 05-04-2024 read at Sr. No. 4 above, the Asstt. Registrar of Co-operative Societies, Quepem Zone, Quepem-Goa has submitted the request letter received from Shri Atchut A. Bhise, Chairman of the Curchorem Urban Co-op. Credit Society Ltd., Curchorem-Goa for extending said authorization.

Now therefore, in exercise of powers conferred under Section 123B of the Goa Co-operative Societies Act, 2001, I, the Registrar of Co-operative Societies hereby extend the authorization of Adv. Pandurang N. Parab as dedicated Registrar's Nominee for The Curchorem Urban Co-op. Credit Society Ltd., Curchorem-Goa for a further period with retrospective effect from 21/01/2022 till 20/01/2026.

All other terms and conditions mentioned in the orders read above shall continue to remain in force. The Registrar reserves the right to withdraw this order at any stage without assigning any reason thereof.

Given under the seal of this office.

*Ashutosh Apte*, Registrar of Co-operative Societies & ex-officio Joint Secretary (Co-operation).  
Panaji.

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### Order

3/12/Urban Credit/TS II/QZ/2020/RCS/1226

Date: 30-Jun-2025

- Read:- 1) Notification No. 3/3/Urban Credit/TS-II/PZ/2017/RCS/Suppl/5306 dated 10-02-2020.  
 2) Order No. 3/12/Urban Credit/TS-II/QZ/2020/RCS/2285 dated 01-11-2021.  
 3) Letter No. 2-5-2012/ARQZ/URBAN/1161 dated 18-12-2024.

Whereas, vide order read at No. 2 above issued by Registrar of Co-operative Societies u/s. 123B and 91D of the Goa Co-operative Societies Act, 2001 (Goa Act No. 36 of 2001) (hereafter referred to as "Act"), the General Manager of The Curchorem Urban Co-operative Society Ltd., Curchorem-Goa [Reg. No. 8-RES-(a)-59/South-Goa/92] was authorized to act as Sales-cum-Recovery Officer in relation to the recovery of debts and to attach and sell the property of defaulters or to execute any decree by attachment and sale of property and execution of all recovery orders passed by the Authority subject to conditions mentioned in the said Order.

And whereas, the authorization period of General Manager as Sales-cum-Recovery-Officer was for the period from 01/11/2021 to 31/10/2022 vide order read at Sr. No. 2 and now vide letter dated 18/12/2024 read at Sr. No. 3 above, the Asstt. Registrar of Co-operative Societies, Quepem Zone, Quepem-Goa has submitted the proposal received from The Curchorem Urban Co-operative Society Ltd., Curchorem-Goa requesting for extending said authorization for a further period.

Now, therefore in exercise of the powers conferred upon undersigned u/s. 123B of the Act read with Notification dated 10/02/2020 at reference No. 1 above, the appointment & authorization of said Sales-cum-Recovery Officer is hereby further extended for a period with retrospective effect from 01/11/2022 to 31/10/2026.

All the other terms and conditions mentioned in the Order read at No. 2 above shall continue to apply. The undersigned reserves the right to withdraw this Order at any stage without assigning any reasons.

Given under the seal of this office.

*Ashutosh Apte*, Registrar of Co-operative Societies & ex-officio Joint Secretary (Co-operation).

Panaji.

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### Order

5/11/Gencorr/202324/Wing I/ABN/EXE/1262

Date: 27-Jun-2025

Sub.-: Constitution of NPA Monitoring Cell.

The Government is pleased to constitute "N.P.A." (Non Performing Assets) monitoring cell to control the Credit business of the Resource societies with a overall supervision and control on the following aspects for detail monitoring and strict vigil on the business of Resource societies for transparency and develop trust of the general members in day-to-day functioning of such societies. The functions/duties of the monitoring cell shall comprise of the following:-

1. Maintenance and development of loan module specifically for Non-Performing Assets (NPA).
2. Implement case management software to streamline inflow and outflow of cases in ABN/EXE matters.
3. Issue necessary directions for filing Arbitration (ABN) and execution cases based on NPA data to the Resource societies based on the MIS report of Loan/NPA module.
4. Analyze NPA data on a monthly basis and compile reports for submission to the Registrar of Co-operative Societies and all other Authorities.
5. Follow up with societies to ensure the uploading of NPA data on the module for strict compliance.
6. Take the initiative to develop software in alignment with CIBIL, in consultation with the National Informatics Centre (NIC).

7. Facilitate societies in accessing the uploaded data to evaluate the creditworthiness of members prior to loan sanctioning, with the provision of charging requisite fees.

8. To take overall review of ABN/EXE cases of ABN (North and South) and all other camp courts and dedicated Registrars Nominee and Registrars Nominee on recovery cases of resource societies.

Shri Raju Magdum, Co-operative Officer shall execute these responsibilities in addition to his duties and take all such measures to constitute the above cell with due approval/compliance of the formalities as may be required under provisions of the Acts/Rules.

*Ashutosh Apte*, Registrar of Co-operative Societies & ex-officio Joint Secretary (Co-operation).

Panaji.



### Department of Education

Directorate of Higher Education



#### Notification

DHE/ACAD-I/COLLEGE TRIBUNAL/391/2025/3494

Date: 15-Jul-2025

In exercise of the powers conferred by Statute SC-7 of the Goa University Statutes, the Government of Goa is pleased to appoint the President, Administrative Tribunal, Panaji-Goa as Presiding Officer of College Tribunal.

The Notification shall come into force with effect from the date of its publication in the Official Gazette.

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

*Safal Shetye*, Under Secretary (Higher Education).

Porvorim.



### Department of Home

Home-General Division



#### Order

17/63/2008-HD(G)/DSW/1713

Date: 27-Jun-2025

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 and sanction expenditure received during the intervening period of State Managing Committee meeting.

1. Chief Secretary	— Chairman
2. Station Commander	— Vice Chairman
3. Collector, North Goa District	— Member
4. Collector, South Goa District	— Member
5. Brig. Rajiv G. Divekar (Retd.)	— Member
6. Air Vice Mshl Giles Gomez, AVSM (Retd.)	— Member
7. R Adm Sudarshan Shrikhande, AVSM (Retd.)	— Member
8. Cmde Jerald Milton Gonsalves (Retd.)	— Member
9. Director, Department of Sainik Welfare	— Member Secretary

The term of the committee shall be valid for a period of 2 years w.e.f. 24/05/2025 to 23/05/2027.

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

*Manthan Manoj Naik*, Under Secretary (Home-II).

Porvorim.

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**Department of Labour**

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**Order**

28/35/2025-LAB/462

Date: 17-Jul-2025

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Indoco Remedies Limited, Verna Industrial Estate, Verna-Goa and it's workman, Shri Deepak Mukund Naik, "Associate Production" in respect of the matter specified in the Schedule hereto;

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), the Government of Goa hereby refers the said dispute for adjudication to the Labour Court-II of Goa at Panaji-Goa, constituted under sub-section (1) of Section 7 of the said Act.

**SCHEDULE**

- (1) Whether the action of the management of M/s. Indoco Remedies Limited, Verna Industrial Estate, Verna-Goa in dismissing Shri Deepak Mukund Naik, "Associate-Production", with effect from 26/08/2024, is legal and justified?
- (2) If not, what relief the workman is entitled to?

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

*Amalia O.F. Pinto*, Under Secretary (Labour).

Porvorim.

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**Order**

28/33/2025-LAB/463

Date: 17-Jul-2025

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Lupin Ltd., Verna Industrial Estate, Salcete-Goa and their workmen represented by Goa Trade and Commercial Workers Union in respect of the matter specified in the Schedule hereto;

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 (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa hereby refers the said dispute for adjudication to Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7A of the said Act.

**SCHEDULE**

- (1) Whether Shri Vasudev Gajanan Talekar, Junior Officer EO, Shri Deepak Shashikant Gawade, Officer E1 and Shri Vishwanath Naik, Junior Officer EO, could be construed as workmen as defined under Section 2 (s) of the Industrial Disputes Act, 1947?
- (2) If answer to issue No. (1) the above is in affirmative, then whether the action of the management of M/s. Lupin Limited, Verna Industrial Estate, Salcete-Goa in terminating the services of above workmen with effect from 02/01/2023 is legal and justified?

- (3) If answer to issue No. (2) above is in negative then what relief the workman is entitled to?

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

*Amalia O.F. Pinto*, Under Secretary (Labour).

Porvorim.

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**Order**

28/29/2025-LAB/464

Date: 17-Jul-2025

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Indoco Remedies Limited, Verna Industrial Estate, Verna-Goa and it's workman, Shri Ranjan Kumar Lenka, in respect of the matter specified in the Schedule hereto;

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), the Government of Goa hereby refers the said dispute for adjudication to the Labour Court-II of Goa at Panaji-Goa, constituted under sub-section (1) of Section 7 of the said Act.

**SCHEDULE**

- (1) Whether the action of the management of M/s. Indoco Remedies Limited, Verna Industrial Estate, Verna-Goa, in dismissing Shri Ranjan Kumar Lenka, Granulation Machine Operator, with effect from 29/07/2024, is legal and justified?
- (2) If not, what relief the workman is entitled to?

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

*Amalia O.F. Pinto*, Under Secretary (Labour).

Porvorim.

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**Order**

28/34/2025-LAB/465

Date: 17-Jul-2025

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Cipla Limited, Verna Industrial Estate, Salcete-Goa and it's workmen, represented by Bharatiya Kamgar Sena in respect of the matter specified in the Schedule hereto;

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 (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa, constituted under Section 7A of the said Act.

**SCHEDULE**

- (1) Whether the Bhartiya Kamgar Sena has locus standi to raise Industrial Dispute in respect of alleged transfer of services of Shri Vittal Devidas Naik, Junior Operator Production and Shri Dattaprasad Rawool, Senior Operator Production to Baddi, Himachal Pradesh w.e.f. 02/11/2023 before the management of M/s Cipla Limited situated at Verna Industrial Estate, Salcete-Goa?
- (2) If the answer to the above issue No. (1) is in affirmative, then whether the action of Management of M/s. Cipla Limited, Verna Industrial Estate, Salcete-Goa in transferring Shri

Vittal Devidas Naik, Junior Operator Production and Shri Dattaprasad Rawool, Senior Operator Production to Baddi, Himachal Pradesh w.e.f. 02/11/2023, is legal and justified?

- (3) If answer to issue No. (2) above is in negative, then what relief the workmen are entitled to?

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

*Amalia O.F. Pinto*, Under Secretary (Labour).

Porvorim.

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**Order**

28/31/2025-LAB/466

Date: 17-Jul-2025

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Marksans Pharma Limited, Verna Industrial Estate, Verna, Goa and it's workman, Shri Deepak Suratkar, in respect of the matter specified in the Schedule hereto;

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), the Government of Goa hereby refers the said dispute for adjudication to the Labour Court-II of Goa at Panaji-Goa, constituted under sub-section (1) of Section 7 of the said Act.

**SCHEDULE**

- (1) Whether the action of the management of M/s. Marksans Pharma Limited, Verna Industrial Estate, Verna, Goa, in dismissing Shri Deepak Suratkar, Granulation Machine Operator, with effect from 25/07/2024, is legal and justified?
- (2) If not, what relief the workman is entitled to?

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

*Amalia O.F. Pinto*, Under Secretary (Labour).

Porvorim.

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**Order**

28/32/2025-LAB/467

Date: 17-Jul-2025

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Indoco Remedies Limited, Verna Industrial Estate, Verna-Goa and it's workmen, Shri Apa C. Gurav, in respect of the matter specified in the Schedule hereto;

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), the Government of Goa hereby refers the said dispute for adjudication to Labour Court-II of Goa at Panaji-Goa, constituted under sub-section (1) of Section 7 of the said Act.

**SCHEDULE**

- (1) Whether the action of the management of M/s. Indoco Remedies Limited, Verna Industrial Estate, Verna-Goa, in dismissing Shri Apa C. Gurav, Production-Technician, with effect from 17/12/2024, is legal and justified?
- (2) If not, what relief the workman is entitled to?

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

*Amalia O.F. Pinto*, Under Secretary (Labour).

Porvorim.

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**Order**

28/30/2025-LAB/469

Date: 17-Jul-2025

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. G.K.B. Ophthalmics Ltd., Tivim Industrial Estate, Goa and it's workman, Shri Mahesh Gaonkar, represented by Goa Trade and Commercial Workers Union in respect of the matter specified in the Schedule hereto;

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), the Government of Goa hereby refers the said dispute for adjudication to the Labour Court-II of Goa at Panaji-Goa, constituted under sub-section (1) of Section 7 of the said Act.

**SCHEDULE**

- (1) Whether the action of the management of M/s G.K.B. Ophthalmics Ltd., Tivim Industrial Estate, Goa in dismissing the services of Shri Mahesh Gaonkar, 'Operator', with effect from 11/03/2014, is legal and justified?
- (2) If not, what relief the workman is entitled to?

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

*Amalia O.F. Pinto*, Under Secretary (Labour).

Porvorim.

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**Notification**

28/02/2025-LAB/PART-VI/449

Date: 09-Jul-2025

The following Award passed by the Labour Court-II, at Panaji-Goa on 05/06/2025 in Case Ref. No. LC-II/IT/13/2019 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

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

*Amalia O.F. Pinto*, Under Secretary (Labour).

Porvorim.

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**IN THE LABOUR COURT-II  
GOVERNMENT OF GOA  
AT PANAJI****(Before Shri Suresh N. Narulkar, Hon'ble Presiding Officer)**

Case No. Ref. LC-II/IT/13/2019.

Shri Nitin S. Kolvekar,  
Rep. by General Secretary,  
Goa Milk Union Employees Association,  
Reg. No. 260, Curti,  
Ponda-Goa (403401).

..... Workman/Party-I

V/s

M/s. Goa State Co-operative Milk  
Producers Union Ltd.,  
Curti, Ponda-Goa (403 401).

..... Employer/Party-II

Workman/Party-I represented by Ld. Adv. Shri. S. Bhangui.

Employer/Party-II represented by Ld. Adv. Shri V. Naik.

Panaji, Dated: 05-06-2025.

#### AWARD

1. 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), the Government of Goa, by Order dated 17/10/2019, bearing No. 28/24/2019-LAB/644 referred the following dispute for adjudication to the Labour Court-II of Goa, at Panaji-Goa.  
“(1) Whether the demand of Shri Nitin S. Kolvekar, EMT Technician, as well that of the Goa Milk Union Employees Association for the pay scale of Rs. 1200-30-1440-EB-40-2040 w.e.f. 01-06-1995 along with other consequential benefits, is legal and justified?  
(2) If yes, what relief the Workman is entitled to?”
2. On receipt of the reference, a case was registered under No. LC-II/IT/13/2019 and registered A/D notice was issued to the Parties. In pursuance to the said notice, both the parties put in their appearance. The Workman/Party-I (for short, ‘Workman’) filed his statement of claim on 15/02/2021 at Exb.7. The facts of the case in brief as pleaded by the Workman are that he had joined in the services of the Employer/Party-II (For short “Employer”) w.e.f. 29/11/1993 as “Milk tester Technician”. He stated that his services were regular w.e.f. 01/06/1995 in the pay scale of 950-20-1150-EB-25-1400. He stated that the Government servants holding the same and similar designation of Technicians are fitted in the scale of pay Rs. 1200-2040 as per 4<sup>th</sup> pay commission. He stated that the Employer has been adopting all the recommendation of the Pay Commission for the Govt. employees and extending such benefit to its employees as applicable to different grades. He stated that he, being in Technician Grade, as per the recommendation of 4<sup>th</sup> Pay commission, the he was to be fitted in the pay scale of 1200-2040 w.e.f. 01.06.1995 i.e. date of regularization as applicable to the grade of technician. He was however, not considered for the same and was fitted in the lower pay scale of 950-20-1150-IB-25-1400 w.e.f. 01/06/1995. He stated that at the time of his regularization vide letter dt. 30/06/1995 w.e.f. 1<sup>st</sup> June, 1995, the Employer had allotted the scale of pay of 950-20-1150-FB-25-1400. He stated that the above scale of pay was in fact applicable to the lower grade of L.D.C. and the Technicians were in the grade of 1200-2040 as per the 4<sup>th</sup> Pay commission as adopted by the Employer. He stated that therefore he made a representation to the Employer vide its letter dt.16/07/1996 to consider his case and allot the correct pay scale of Rs. 1200-2040 as applicable to the Technicians grade w.e.f. 01/06/1995.
3. He stated that his representation was put up before the Board of Directors of the Employer and the BOD accorded its approval and the Workman was fitted in the Pay Scale of Rs. 1200-1800 instead of 1200-2040 as demanded by him. He stated that the said fitment was required to be done w.e.f. 01/06/1995 i.e. the date of regularization. However, the same was done w.e.f. 01/06/1996. He stated that though the BOD had approved his pay fixation in the scale of pay of 1200-1800, the same was made effective from 01/06/1996 instead of 01/06/1995 vide its office order No. GMU: PER:675 dated 02/07/1996. He stated that this was done to deprive him to the arrears payable after refixation. He stated that on account of wrong fixation of the scale of pay by the Employer, he was deprived the further fixation as per the 5<sup>th</sup> and 6<sup>th</sup> Pay Commission adopted by the Employer from 2001 onwards. He stated that on account of the use of word “enhanced” in the office order No.GMU/PER/675 dt. 02/07/1996, the Accounts Department of the Employer did not consider the scale of Pay applicable to his post w.e.f. 01.01.2001 taking shelter of the word “enhanced” read with the Govt. Circular OM No.8/1/93/FIW(R & C) dt. 11/04/2001. He stated that by virtue of office order No. GMU/ADMT:356 dt. 03/06/2009, the Workman was given ACPS and fitted in the pay scale of 4500-125-7000 w.e.f. 01/01/2006 and made it applicable w.e.f. 01/11/2018. He stated that in fact his basic should have fitted at Rs. 5000/- as he had completed 12 years of actual service from the date of appointment i.e. 01/06/1995 to 31/05/2007 for eligibility of ACPS. He stated

that the Employer thus created anomaly in the fitment. He stated that in the month of Aug./Sept. 2018, the Employer sanctioned MACP to the employees who had completed 20 years of service as on 31/05/2015. He stated that however, he was not given MACP though he had completed 20 years of service as on 31/05/2015. He was informed that he is not entitled to the MACP as his salary was revised twice on 01/08/1996 and 03/06/2009. He stated that his salary was not revised on 01/06/1996 and 03/06/2009 as contended by the Employer, but the pay scale which was given at the time of confirmation was corrected and not revised. He stated that the Employer had deliberately and willfully used the word “enhanced” while correcting the scale of pay which was wrongly given so as to deprive him the benefits of MACP.

4. He stated that the Employer implemented the recommendations of the 6<sup>th</sup> Pay Commission and he was given an increase of Rs. 1900/- in the basic pay while fixation in the 6<sup>th</sup> Pay Commission. He stated that he was accordingly fitted at the basic pay of Rs. 12,210/- w.e.f. 01/01/2011. He stated that he was paid as per new fixation for Jan. & Feb. 2011 and from March 2011, his basic pay was reduced to Rs. 11410/- without any cause. He stated that initially when the office order GMU:732 dt. 30/06/1995, he was appointed as EMT Technician, given the regular scale of Rs. 950-20-1150-EB-25-1400, he realized that it was less for the post of technician. He stated that he further noted that the scale given to Govt. employees having minimum wage qualification required to the equivalent post is Rs. 1200-30-1560-EB-40-2040. He stated that accordingly, he raised immediate objection after receipt of the office order and produced related Govt. documents for correction of the wrong scale for the post of technician from the date of joining. He stated that thereafter, the Management took a decision and issued an office order GMU:675 dt. 02/07/1995 with the help of the Govt. Gazette of September, 1987 Series I No. 25 by virtue of which a pay scale of Rs. 1200-30-1440-EB-30-1800 with effect from 01/06/1996 was made available to him. He stated that the correct scale applicable to him was 1200-30-1560-EB-40-2040 from 01/06/1995. He further stated that deliberately to avoid payment of arrears of one year from 01/06/1995 to 31/05/1996 and yearly increment of June 1996, the Management used the word “ENHANCED” in the above office order instead of “CORRECTION”. He stated that this prevented him from the fitment in the new scales from 2001.
5. He stated that on the basis of the word “ENHANCED” in the office order GMU:675 dt. 02/07/1995 the Accounts Dept. of the GMU (Goa Milk Union) refused to give the fitment scale to him which was implemented to all the employees of GMU at that time accordingly to the Govt. Circular O.M. No. 8/1/93/FIN (R & C) PART I dt. 11/4/2001. He stated that it was very clearly mentioned in the above Govt. circular that the employee revised/promoted during the period between 01/01/1996 to 31/07/1997 are not eligible for fitment scale. He stated that however, it is submitted that his scale was neither revised nor he was promoted, but his scale was corrected and was kept away from fresh fitment in the scale causing injustice to him. He stated that Mr. Pradeep Gaude was appointed as junior Technician and assistant to him and was in the pay scale 950-20-1150-EB-25-1400. He submitted that he clearly bring out that there is an anomaly in the fitment right from the date of confirmation. The Workman therefore prayed that this Hon’ble Court be direct the Employer to set right the anomalies and fit him in the correct scale from 01/01/1995 and make applicable all subsequent the revision and fitments carried out as per various Govt. orders and pay the arrears which is lawfully due and payable.
6. The Employer resisted the claim of the Workman by filing its written statement on 29/06/2021 at Exb. 9. The Employer, as and by way of its written statement, submitted that the Workman was appointed as Milko Tester Technician vide its Office Order dt. 22/11/1993 purely on temporary basis on a lump sum amount of Rs. 1600/- pm for one year. The Employer stated that after which the Workman was supposed to be placed in a regular scale. The Employer stated that accordingly as the aforesaid order, the Workman joined in its services on 29.11.1993 for the said post. The Employer stated that as per Office Order dt. 03/04/1995, the period of services of the Workman on lump sum payment of 1600/- was extended up to 31.05.1995. The Employer stated that the Workman was finally appointed on full time basis as “Milko Tester Technician” vide appointment letter dt. 30/06/1995 on basic salary of Rs. 950/- in the pay scale of 950-20-1150-EB-25-1400. The Employer stated that the Workman joined his duty for the said post w.e.f. 01/06/1995. The Employer stated that they have been adopting the recommendations of pay commission of the Govt. as a matter of course. The Employer stated that the said adoption is after the approval of its board/ management and subject to modification, if any as per the collective decision of its board/management depending upon its paying capacity. The Employer stated that Certified Standing Orders is also being followed for the workmen category staff of the Union. The Employer stated that the Workman needs to substantiate his statement about eligibility of pay scale of 1200-2040 as in a way the

Workman has accepted the appointment letter dt. 30/06/1995 as a “Milko Tester Technician” in the pay scale of 950-20-1150-EB-25-1400 and joined in its service, without any objections. The Employer stated that the claim of the Workman of applicability of 1200-2040 w.e.f. 01.06.1995 is time barred and not maintainable. The Employer stated that as per Office Order dt.02/07/1996, the pay scale of the Workman was enhanced 1200-30-1440-EB-30-1800 w.e.f 01/06/1996 as he had requested for correction of his pay scale as per his letter dt. 16/07/1996. The Employer stated that considering the advice of the Directorate of Accounts, Govt. of Goa as per its letter dt. 29/08/2006 whereby it was opined that it would be within the competence of its Board of Directors to place the Workman in the pre-revised scale of 1200-1800 to be revised from 01/01/1996. The Employer stated that its account Dept. had complied with the Office Order dt. 02/07/1996 thereby implementing its Board decision which was also accepted by the Workman during the relevant time. The Employer stated that subsequently ACP was granted to the Workman vide Office Order dt.03.06.2009 w.e.f. 01/11/2006 in the pay scale of 4500-125-7000, and as such allegation of the Workman about anomaly in said pay fixation, wrong date implementation and that of non-fixation of basic pay is not maintainable. The Employer stated that the Workman was not eligible for MACP as on date and he shall be granted the same considering his eligibility and due date as per rule. The Employer stated that all its staff were granted VI pay scale considering VI pay fixation statement as prepared by the consultant Mr. D. Sathe who was appointed by the Workman and same was also made applicable to the Workman. The Employer stated that they had dealt with the demand of the Workman and accordingly as per the decision of the Board/ Management, the grievances of the Workman were resolved by enhancing his pay scale. The Employer submitted that the Workman was granted proper pay scale as per its decision from time to time without any injustice on him. The Employer submitted that comparing the salary of other staff with that of the Workman, he is not warranted as it is the decision of its board/ management which has been implemented considering case to case. The Employer submitted that they, upon considering the request of the Workman about grant of regular pay scale of 1200-30-1440-EB-30-1800 instead of 950-20-1150-EB-25-1400 w.e.f. 01/06/1995 i.e. date of regular appointment of the Workman, subject to that advice of the consultant in its board meeting dt. 25/03/2013 had resolved to accept his said demand thereby implementing revised basic pay w.e.f. 01/04/2013 without any arrears but the said offer was refused by the Workman. The Employer denied the overall case as pleaded by the Workman and prayed for dismissal of the present reference.

7. Thereafter, the Workman filed his re-joinder on 06/08/2021 at Exb. 10. The Workman, as and by way of his re-joinder, confirms and reiterates all his submissions, averments and statements made in his Claim Statement to be true and correct and denies all the statements, averments and submissions made by the Employer in its Written Statement, which are contrary to his Statement and averments made in his Claim Statement.
8. Based on the pleadings filed by both the parties, this Hon’ble Court was pleased to frame the following issues on 24/09/2021 at Exb. 11.
  1. Whether the Workman/Party-I proves that his demand for the pay scale of Rs. 1200-30-1440-EB-40-2040 is legal and justified?
  2. Whether the Employer/Party-II proves that the demand of the Workman for the pay scale of Rs. 1200-30-1440-EB-40-2040 w.e.f. 01/06/1995 is time barred and not maintainable?
  3. Whether the Workman/Party-I is entitled to any relief?
  4. What order? What award?
9. My answers to the aforesaid issues are as under:
  - (a) Issue No. 1 : In the Affirmative
  - (b) Issue No. 2 : In the Negative
  - (c) Issue No. 3 & 4 : As per final order

I have heard the oral arguments of Ld. Adv. Shri S Bhangui appearing for the Workman as well as Ld. Adv. Shri V. Naik representing the Employer. Both the parties have filed their synopsis of written arguments respectively. I have carefully perused the entire records of the present case including the synopsis of arguments filed by both the parties. I have also considered the submissions advanced before me and is of the firm opinion as under:

## REASONS

**10. Issue No. 2:**

I shall decide the issue No. 2 first prior to the issue No. 1 as the said issue No. 2 goes to the root jurisdiction of this Hon'ble Court.

11. The Employer alleged that the demand of the Workman for the pay scale of Rs.1200-30-1440-EB-40-2040 w.e.f. 01/06/1995 is time barred and not maintainable. The burden was cast on the Employer to prove the said issue No. 2.
12. To prove his case, the Workman examined himself and produced on record certain documentary evidence in support of his oral evidence. On contrary, the Employer examined its Personnel Officer, Shri Priyesh Sawant. The said Shri Priyesh Sawant claimed that he has been authorized to act, appear and plead on behalf of the Employer. However he could not produce any authorization given to him by the Employer authorizing him to depose on behalf of the Employer.
13. Ld. Adv. Shri V. Naik representing the Employer submitted that the present claim of the Workman is filed at the belated stage after more than 25 years and therefore the claim is barred by delay and laches and therefore the Workman is not entitled to any relief and relied upon the following judgments of Hon'ble Apex Court in support of his aforesaid contention.
  - (a) In the case of Balakrishna S. Pujari Waghmare and others V/s Dnyaneshwar Maharaj Sansthan and others, reported in 1959 SCC online SC 68.
  - (b) In the case of Union of India and Ors. V/s. Tarsem Singh reported in (2008) 8 SCC 648.
  - (c) In the case of Shiv Dass V/s. Union of India and Ors., reported in (2007) 9 SCC 274.
  - (d) In the case of Rushibhai Jagdishbhai Pathak V/s. Bhavnagar Municipal Corporation, reported in (2022) 18 SCC 144.
  - (e) In the case of Sher Singh and Ors., V/s. Union of India and Ors., reported in (1995), 6 SCC 515.
14. Per contra Ld. Adv. Shri Bhangui appearing for Workman denied that the claim is barred by delay and laches and submitted that continuing wrong against the Workman which gave rise to recurring cause of action each time and relied upon the following judgment of Hon'ble Apex Court.
  - (a) In the case of M. R. Gupta V/s Union of India and Ors. reported in AIR 1996 SC 669.
  - (b) In the case of Prabhakar V/s. Jt. Director, Sericulture Dept. and Anr. reported in 2015 III CLR 937.
  - (c) In the case of Brij Bihari Singh S/o Shri Bacchan Singh, Bhadravati and anr., V/s. Western Coalfields Ltd., Coal estate, Civil lines, Nagpur and 2 ors., reported in 2022 I CLR 100.
- 15.
16. In the case of Balakrishna S. Pujari Waghmare and ors., (Supra), cited by Employer before the Hon'ble Apex Court where the observation of the Hon'ble Apex Court is not applicable to the case in hand.
17. In the case of Union of India and Ors. (Supra), the Hon'ble Apex Court in para 7 of its judgment held as under :
  7. "To summarise, normally, a belated service related claim will be rejected on the ground of delay and laches (where remedy is sought by filing a writ petition) or limitation (where remedy is sought by an application to the Administrative Tribunal). One of the exceptions to the said rule is cases relating to a continuing wrong. Where a service related claim is based on a continuing wrong, relief can be granted even if there is a long delay in seeking remedy, with reference to the date on which the continuing wrong commenced, if such continuing wrong creates a continuing source of injury. But there is an exception to the exception. If the grievance is in respect of any order or administrative decision which related to or affected several other also, and if the reopening of the issue would affect the settled rights of third parties, then the claim will not be entertained. For example, if the issue relates to payment or refixation of pay or pension, relief may be granted in spite of delay as it does not affect the rights of third parties. But if the claim involved issues relating to seniority or promotion, etc. affecting others, delay would render the claim stale and doctrine of laches/limitation will be applied. Insofar as the consequential relief of recovery of arrears for a past period is concerned, the principles relating to recurring/successive wrongs will apply.

As a consequence, the High Courts will restrict the consequential relief relating to arrears normally to a period of three years prior to the date of filing of the writ petition.”

The principle laid down by the Hon’ble Apex Court is not applicable to the case in hand so far as it relates to the Workman. The Workman has been subjected to a continuing wrong.

18. In the case of Shiv Dass (Supra), the Hon’ble Apex Court, in para 6 of its judgment held as under:

5. “Normally, in the case of belated approach writ petition has to be dismissed. Delay or laches is one of the factors to be borne in mind by the High Courts when they exercise their discretionary powers under Article 226 of the constitution of India. In an appropriate case the High Court may refuse to invoke its extraordinary powers if there is such negligence or omission on the part of the applicant to assert his right as taken in conjunction with the lapse of time and other circumstances, causes prejudice to the opposite party. Even where fundamental right is involved the matter is still within the discretion of the Court as pointed out in *Durga Prasad v. Chief Controller of Imports and Exports*. Of Course, the discretion has to be exercised judicially and reasonably”.

The principle laid down by the Hon’ble Apex Court is not applicable to the case in hand.

19. In the case of Rushibhai Jagdishbhai Pathak, (Supra), the Hon’ble Apex Court in para 8 of its judgment held as under:

- 8 “The doctrine of delay and laches, or for that matter statutes of limitation, are considered to be statutes of repose and statutes of peace, though some contrary opinions have been expressed. The courts have expressed the view that the law of limitation rests on the foundations of greater public interest for three reasons, namely.

- (a) That long dormant claims have more of cruelty than justice in them;
- (b) That a defendant might have lost the evidence to disapprove a state claim; and
- (c) That persons with good causes of action (who are able to enforce them) should pursue them with reasonable diligence.

Equally, change in de facto position or character, creation of third-party rights over a period of time, waiver, acquiescence, and need to ensure certitude in dealings, are equitable public policy considerations why period of limitation is prescribed by law. Law of limitation does not apply to writ petitions, albeit the discretion vested with a constitutional court is exercised with caution as delay and laches principle is applied with the aim to secure the quiet of the community, suppress fraud and perjury, quicken diligence, and prevent oppression. Therefore, some decisions and judgments do not look upon pleas of delay and laches with favour, especially and rightly in cases where the persons suffer from adeptness, or incapacity to approach the courts for relief. However, other decisions, while accepting the rules of limitation as well as delay and laches, have observed that such rules are not meant to destroy the rights of the parties but serve a larger public interest and are founded on public policy. There must be a lifespan during which a person must approach the court for their remedy. Otherwise, there would be unending uncertainty as to the rights and obligations of the parties.”

20. In the case of Sher Singh and Ors., (Supra), the case before the Hon’ble Apex Court is of parity of Employment and equal pay for equal work. The facts of the case before the Hon’ble Apex Court are totally different then the case in hand and as such the principle laid down by the Hon’ble Apex Court in its aforesaid case is not applicable to the case in hand.
21. In the case of Officer and Supervisors of ID (Supra), the matter before the Hon’ble Apex Court is revision of their pay scale and additional expenditure. The facts of the case before the Hon’ble Apex Court are totally different then the case in hand and as such the principle laid down by the Hon’ble Apex Court in its aforesaid case is not applicable to the case in hand.
22. In the case of Punjab State Co-operative Milk Producers Federation and anr., (Supra), the matter before the Hon’ble Apex Court is of parity claim with other establishment of the state. The facts of the case before the Hon’ble Apex Court are totally different then the case in hand and as such the principle laid down by the Hon’ble Apex Court in its aforesaid case is not applicable to the case in hand.
22. Per contra, Ld. Adv. Shri S. Bhangui relied upon the following judgments:
23. In the case of Prabhakar (Supra), the Hon’ble Apex Court in paras 36 and 42 of its judgment held as under:

36. “It is not a well recognised principle of jurisprudence that a right not exercised for a long time is non-existent. Even when there is no limitation period prescribed by any statute relating to certain proceedings in such cases Courts have coined the doctrine of laches and delays as well as doctrine of acquiescence and non-suited the litigants who approached the Court belatedly without any justifiable explanation for bringing the action after unreasonable delay. Doctrine of laches is in fact an application of maximum of equity “delay defeats equities”.

The Hon’ble Apex Court further held as under:

42. “To summarise, although there is no limitation prescribed under the Act for making a reference under Section 10(1) of the Act, yet it is for the ‘appropriate Government’ to consider whether it is expedient or not to make the reference. The words ‘at any time’ used in Section 10(1) do not admit of any limitation in making an order of reference and laws of limitation are not applicable to proceedings under the Act. However, the policy of industrial adjudication is that very state claims should not be generally encouraged or allowed inasmuch as unless there is satisfactory explanation for delay as, apart from the obvious risk to industrial peace from the entertainment of claims after long lapse of time, it is necessary also to take into account the unsettling effect which it is likely to have on the employers’ financial arrangement and to avoid dislocation of an industry”.
24. In the case of *M. R. Gupta V/s Union of India and ORS* reported in AIR 1996 SC 669, the Hon’ble Apex Court in para 5 of its Judgment held as under:
5. “Having heard both sides, we are satisfied that the Tribunal has missed the real point and overlooked the crux of the matter. The appellant’s grievance that his pay fixation was not in accordance with the rules, was the assertion of a continuing wrong against him which gave rise to a recurring cause of action each time he was paid a salary which was not computed in accordance with the rules. So long as the appellant is in service, a fresh cause of action arises every month when he is paid his monthly salary on the basis of a wrong computation made contrary to rules. It is no doubt true that if the appellant’s claim is found correct on merits, he would be entitled to be paid according to the properly fixed pay scale in the future and the question of limitation would arise for recovery of the arrears for the past period. In other words, the appellant’s claim, if any, for recovery of arrears calculated on the basis of difference in the pay which has become time barred would not be recoverable, but he would be entitled to proper fixation of his pay in accordance with rules and to cessation of a continuing wrong if on merits his claim is justified. Similarly, any other consequential relief claimed by him, such as, promotion etc. would also be subject to the defence of laches etc. to disentitle him to those reliefs. The pay fixation can be made only on the basis of the situation existing on 01.08.1978 without taking into account any other consequential relief which may be barred by his laches and the bar of limitation. It is to this limited extent of proper pay fixation the application cannot be treated as time barred since it is based on a recurring cause of action”.
25. The principle laid down by the Hon’ble Apex court is squarely applicable to the case in hand. In the case in hand the Workman was appointed vide office order 30/06/1995 (Exb. 17) in the basic salary of Rs. 950- per month in the pay scale of Rs. 950-20-1150-EB-25-1400. Vide letter dt.16/07/1996, the Workman made representation to the Employer and requested to correct his pay scale of Rs.1200-2040 as applicable to Technician grade w.e.f. 01/06/1995 vide office order dt. 02/07/1996 (Exb. 18), the Employer enhanced the pay scale of the Workman to Rs. 1200-30-1440-EB-30-1800 w.e.f. 01/06/1996 in accordance with the similar scale applicable to the Govt. employee with the Technician designation.
26. The Workman made representation to the Employer vide his letter dt. 16/07/1996 to allot the correct pay scale of 1200-2040 as applicable to the post of Technician w.e.f. 01/06/1995. The representative of the Workman has put up his case before BOD of the Employer and the said BOD accorded its approval and he was fitted in the pay scale of 1200-1800 instead of 1200-2040 w.e.f. 01/06/1996 instead of 01/06/1995. Though the BOD had approved his pay fixation scale in the pay scale of 1200-1800, the same was made effective from 01/06/1996 instead of 01/06/1995 vide its office order dt.02/06/1996. The Workman made several representations i.e. vide letter dt. 16/07/1996, letter dt. 15/12/2001, letter dt.21/10/2002, letter dt. 22/07/2004, letter dt. 17/03/2005, letter dt. 30/01/2006 and letter dt.28/07/2006 (Exb. 35-colly) to the Employer to correct his pay scale. Vide letter dt. 29/08/2006 (Exb. 22), the Employer made representation to Director of Accounts regarding the pay scale of the Workman. Vide letter dt. 30/09/2006 (Exb.21-colly) Shri P. K. Ghate made a letter to the Employer regarding the pay scale of the Employer. By office order dt. 03/06/2009 (Exb. 23), the Employer informed the Workman that on recommendation of his superior, the Employer has considered the Workman for his up-gradation under the ACP scheme as adopted by the

Employer and his basic salary was given as Rs.5000/- in the scale of Rs.4500-125-7000 w.e.f. 01/11/2006 and that upon grant of his yearly increment, his present basic will be Rs.5375 w.e.f. one 01/11/2008. Vide his representation dt. 11/10/2010 (Exb. 25), the Workman made representation to make correction in his pay scale. Vide letter dt. 28/04/2011 (Exb. 27), the Workman again made a representation to the Employer to correct his pay scale. Vide letter dt. 25/10/2012 (Exb. 28), finally the Workman made a representation to the Employer to make correction in his pay scale. Vide letter dt.03/08/2018 (Exb. 29-colly), the Goa Milk Union Employee Association, Curti, Ponda-Goa made a representation to the ALC Ponda-Goa for fixation of proper pay scale as well as payment of arrears of wages and other allowance to its member i.e. the Workman. Vide its letter dt. 15/10/2018 (Exb. 29-colly), the Employer requested to advice and fixation of pay scale as per rule to Shri D. Sathe consultant, Curti, Ponda-Goa. Accordingly, Shri D. M. Sathe, consultant submitted his report to the Employer vide his report dt. 22/10/2018 (Exb. 29-colly). Vide letter dt. 10/12/2018 (Exb. 30-colly), the said Goa Milk Union Employee Association Curti, Ponda-Goa made representation to the ACL Ponda-Goa pertaining to proper fixation of pay scale as well as payment of arrears of wages and other allowance of the Workman.

27. Thus, it appears that the Workman made several representations to the Employer from time to time pertaining to the corrections of his pay scale. The Employer also responded to the representation of the Workman. Thus, the claim of the Workman cannot be barred by delay and laches. Hence it is held that the Employer failed to prove that the demand of the Workman for the pay scale of Rs. 1200-30-1440-EB-40-2040 w.e.f. 01/06/1995 is barred by delay and laches. The Employer failed to prove that the matter is not maintainable. The issue No. 2 is therefore answered in the Negative.

**28. Issue No. 1:**

Indisputably, the Workman was appointed by the Employer as “Milko Tester Technician” vide its office order dt. 22/11/1993 purely on temporary basis on lump sum amount of Rs. 1600/- p.m. The Workman joined the service of Employer on 29/11/1993 in the said post. Subsequently as per office order dt. 03/04/1995, the period of services of the Workman was extended up to 31/05/1995. The Workman was subsequently appointed on full time basis as “Milko Tester Technician” vide appointment letter dt. 30/06/1995 on basic pay of Rs. 950 in the pay scale of 950-20-1150-EB-25-1400. The Workman accordingly joined in his duty in the said post w.e.f. 01/06/1995.

29. The Workman, in his cross examination, admitted that the Employer is a Co-operative Society registered under the Goa Co-operative Societies Act. He admits that the Board of Directors of the Employer appointed under the Co-operative Societies Act can take independent decision provided by law and that the board can take decisions in the interest of the society according to its bye-laws and societies Act. He deposed that the board of the Employer has accepted his demand for correction of pay, however the Employer did not give him arrears.

30. The sole witness of the Employer, in his cross examination, admitted that the aforesaid pay scale issued to the Workman was on the basis of service conditions applicable to him. The sole witness also admits that when the Workman joined in the services of the Employer on 01/06/1995, his salary increment would be 01/06/1996 subject to confirmation of the service or by the decision of the management. He deposed that he has not come across any adverse remarks against the Workman. He deposed that he is not aware if the Workman was issued an increment after completion of probation period of one year. He admits that as per the official gazette at Exb.31, the ECG Technician was given the pay scale of Rs.1200-30-2040. He admits that the Employer fixes the pay scale of its employees by adopting pay commission reports and not service conditions to make applicable to the workers. He admits that by the said letter dt. 30/12/2010 at Exb. 46-Cross, the Employer agreed to give the 6<sup>th</sup> Pay Commission to its employees w.e.f. 01/01/2010. He further, admits that as per clause one of the document at Exb.46-Cross the pay scale and other allowances of the 6<sup>th</sup> Pay Commission is made applicable to the employees of the Employer w.e.f. 01/01/2010. He admits that the pay scale for the “Milko Tester Technician” was given Rs. 1200-30-1500-EB-40-2040. He admits that as per the document at Exb. 18, the Employer had issued office order thereby enhanced the pay scale of the Workman to Rs. 1200-30-1400-EB-30-1800 w.e.f. 01/06/1996 in accordance with the similar scale applicable to the Govt. employees with technician designation. He admits that the Employer has written a letter to the Director of Accounts, Govt. of Goa on the subject of pay scale of the Workman and the same letter was copied to Shri P. K. Ghate for his comments in the matter. He admits that at para 4 of the document at Exb. 21-colly, it has been stated that the scale was corrected and not enhanced however, the word enhanced used in the sanction order completely changed the composition and the nature of rectification. He deposed that he is not aware if the Employer used the

said letter of Mr. P. K. Ghate in correcting the scale of the Workman. He admits that the Director of Accounts, Govt. of Goa responded to the said letter of the Employer at Exb. 20 and replied the same by his letter at Exb. 22-colly. He admits that the Director of Accounts opined that because of fitment w.e.f. 01/06/1996 and in view of the office memorandum the Workman is not entitled for new fitment. He admits that the Director of Accounts had opined that to place the Workman in the pre-revised scale of Rs. 1200-1800 to be revised from 01/01/1996 with due regards to the instructions contained in the above O.M. dt. 11/04/2001. He deposed that he is not aware if the Employer had made revision to the pay scale of the Workman in pursuance of the letter of the Director of Accounts at Exb. 22-colly. He admits that the Employer normally adopts the pay commission report and hence the Workman is entitled for benefit of pay scale as stated in the pay commission as adopted by its Board. He admits that in the letter dt. 23/10/2006 of the Director of Accounts addressed to the M.D. of the Employer, it has been stated that it would therefore within the competence within the Board of Directors to place him in the pre-revised scale of Rs. 1200-1800 to be revised from 01/01/1996 with due regards to the instructions contained in the above O.M. dt. 11/04/2001. He admits that by representation dt. 16/07/1996 at Exb. 35-colly (Cross), the Workman made representation to the Employer objecting the fitment to him. He admits that the pay scale of the Sr. Technician shall be above the pay scale of Jr. Technician. He admits that by office order dt. 02/07/1996 at Exb.18 the pay scale of the Workman was enhanced to Rs. 1200-30-1440-EB-30-1800 w.e.f. 01/06/1996 in accordance with the similar scale applicable to the Govt. employees with technician designation. He admits that the Workman joined the Employer w.e.f. 01/06/1995. He admits that the eligibility for ACP Scheme was 12 years in the said post. He admits that in the year, 2018 the Employer allowed MACP who had completed 10/20/30 years of service. He deposed that as the matter is pending before this Hon'ble Court, the Workman was not considered for MACP. He admits that as per calculation of D. Sathe the Employer implemented the fixation of the Workman. He admits that the Board of the Employer at Exb.43 resolves to fix the pay scale of the Workman w.e.f. 01/04/2013 except payment of the arrears. He admits that the Employer till date has not implemented the said resolution.

31. Thus, the sole witness of the Employer Shri Priyesh Sawant in his cross-examination clearly admits that the Employer fixes the pay scale of his employees by adopting the various pay commission fixed and approved by the Government of Goa. The Workman was designated as "Milko Tester Technician" and was fitted in the pay scale of 1200-1800 w.e.f. 01/06/1996 when the Workman joined the Employer on 01/06/1995. The Workman produced on record the Official Gazette dt. 26/09/1987 at Exb.31 wherein the ECG Technician was given the pay scale of Rs. 1200-30-1560-EB-40-2040. The sole witness of the Employer could not give any explanation as to the difference in the pay scale of the Workman as "Milko Tester Technician" as well as "ECG Technician" and as such the Workman is therefore entitled for the pay scale of the Technician as Rs. 1200-30-1560-EB-40-2040 w.e.f. 01/06/1995 i.e. from the date of his joining. He admits that the Milko Techno Technician was given a pay scale of Rs. 1200-30-1500-EB-40-2040. Hence it is held that the Workman is proved that his demand for the pay scale of Rs. 1200-30-1440-EB-40-2040 is legal and justified. The issue No. 1 is therefore answered in the Affirmative.

### 32. Issue No. 3

While deciding the issue No.1 hereinabove, I have discussed and come to the conclusion that his demand for the pay scale of Rs. 1200-30-1440-EB-40-2040 is legal and justified. The Workman is therefore entitled to pay scale of Rs. 1200-30-1440-EB-40-2040 w.e.f. 01/06/1995 alongwith other consequential benefits as applicable from the date of his regular appointment.

In view of above, I proceed to pass the following order:

#### ORDER

1. It is held that the demand of Shri Nitin S. Kolvekar, EMT Technician, as well as that of the Goa Milk Union Employees Association, for the pay scale of Rs. 1200-30-1440-EB-40-2040 w.e.f. 01/06/1995 along with other consequential benefits is legal and justified.
2. It is held that the Employer M/s. Goa State Milk Producers Union Ltd. Curti, Ponda-Goa is hereby directed to grant the Workman Shri. Nitin S. Kolvekar, EMT Technician, the pay scale of 1200-30-1440-EB-40-2040 w.e.f. 01/06/1995 along with other consequential benefits.
3. No order as to cost.

Inform the Government accordingly.

*Suresh N. Narulkar*, Presiding Officer, Labour Court-II.

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## Department of Law and Judiciary

Law (Establishment) Division

### Order

14/18/2025/LD-(Estt.)/1815

Date: 14-Jul-2025

In compliance with the order dated 07/05/2025, passed by the Hon'ble Supreme Court in Writ Petition (Civil) No. 83/2010 (Federation of Leprosy Organizations & Anr. vs. Union of India & Ors.), the State of Goa hereby constitutes a three-member committee:

1. Ms. Sherin G. Paul, Principal District & Sessions Judge, South Goa, — Chairman.  
Margao
2. Shri Ram Subrai Prabhu Dessai, District Judge-2 & Additional — Member.  
Sessions Judge, South Goa, Margao
3. Shri Sudhir R. Volvoikar, Joint Secretary, Law Department (Legal — Member.  
Affairs), Secretariat, Porvorim-Goa

2. The committee shall identify all State laws, pre or post Constitution, where the discriminatory expressions against individuals affected by leprosy or those who have been cured, which remain part of the statute book.

3. The committee shall also identify Regulations, Statutory Rules, or Bye-Laws where similar provisions have been incorporated. This exercise shall further include Regulations formulated under different Statutes, Service Rules enacted under proviso to Article 309 of the Constitution as well as and Bye-Laws framed under different Statutes such as the Co-operative Societies Act.

4. The Committee shall thereafter make recommendations to the State Government for suitable amendment in all the Statutes, Regulations, Rules, Bye-Laws or Instructions.

5. The Committee will submit its report to the Secretary General of the Supreme Court.

This issues with the approval of the Government.

*Amir Y. Parab*, Under Secretary (Estt.), Law.

Porvorim.

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## Department of Personnel

### Order

No. 6/5/2023-PER/2203

Date: 15-Jul-2025

On the recommendation of the Goa Services Board, the Governor of Goa is pleased to order transfer and posting of the following Senior Scale Officers of Goa Civil Service, in public interest, with immediate effect:-

Sr. No.	Name and present posting of the officer	Posted as
1.	Shri Agnelo Fernandes, Secretary, Lokayukta	Director (Administration), Agriculture
2.	Shri Madhu Narvekar, Director (Administration), Agriculture	Chief Officer, Margao Municipal Council
3.	Dr. Ajay Gaude Chief Executive Officer, North Goa Zilla Panchayat with additional charge of Managing Director, GHRSSIDC	Director of Sports and Youth Affairs with additional charge of Managing Director, GHRSSIDC

4.	Shri Dinesh Pawar, awaiting posting	Chief Executive Officer, North Goa Zilla Panchayat
5.	Shri Vivek Naik, Joint Secretary (Protocol)	Director of Art & Culture
6.	Shri Arvind Khutkar, Director of Sports and Youth Affairs with additional charge of Member Secretary, Kala Academy	Director of Archives
7.	Shri Shankar Gaonkar, Superintendent of Jails	Member Secretary, Kala Academy
8.	Shri Sagun Velip, Director of Art & Culture	Joint Secretary (Protocol)
9.	Shri Melvyn Vaz, Chief Officer, Margao Municipal Council	Secretary, Lokayukta

Shri Dinesh Pawar shall continue to hold the charge of Deputy Director (Admn.), Art & Culture in addition to his own duties, until further orders.

The officers appointed on ex-cadre deputation post shall be governed by the standard terms of deputation.

The officers shall complete handing over and taking over process with immediate effect and submit compliance.

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

*Durga Kinlekar*, Under Secretary (Personnel-I)/Link.

Porvorim.

### Order

15/23/2023-PER/2204

Date: 15-Jul-2025

On the recommendation of the Goa Services Board, the Governor of Goa is pleased to order the transfer and posting of the following Officers in the cadre of Block Development Officer, in public interest, with immediate effect:-

Sr. No.	Name and present posting of the officer	Posted as
1.	Shri Pranit Satyavan Naik BDO-IV, Directorate of Panchayats, North	BDO, Canacona.
2.	Kum. Meeksha Nagesh Naik, BDO-II, Ponda	BDO, Pernem.
3.	Kum. Megna Budo Gavde, BDO, Canacona	BDO-IV, Directorate of Panchayats, North.
4.	Shri Shubham Sadashiv Bhartu, BDO, Pernem	BDO-II, Ponda.

The officers shall complete handing over and taking over process with immediate effect and submit compliance.

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

*Durga Kinlekar*, Under Secretary (Personnel-I)/Link.

Porvorim.

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**Order**

No. 22/10/2018-PER/2207

Date: 15-Jul-2025

The Governor of Goa is pleased to transfer and post Smt. Sucheta B. Dessai, Superintendent of Police (Training) as Superintendent of Prison, Central Jail Covale, with immediate effect in public interest.

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

*Durga Kinlekar*, Under Secretary (Personnel-II).

Porvorim.

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**Order**

22/10/2018-PER/2256

Date: 18-Jul-2025

The Governor of Goa is pleased to order transfer and posting of following IPS Officers, with immediate effect, in public interest.

S/N	Name of the Officer and posting	Transferred and posted as
01	Shri Vishram V. Borkar, IPS, ADC to Hon'ble Governor of Goa	Superintendent of Police (Training) who shall also hold the charge of Commandant 1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> IRBn, in addition to own duties.
02	Shri Akshat Ayush, IPS, SDPO (Canacona)	ADC to Hon'ble Governor of Goa.

The deputation of Shri Akshat Ayush, IPS as ADC to Hon'ble Governor of Goa shall be governed by standard terms of deputation as amended from time to time.

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

*Durga Kinlekar*, Under Secretary (Personnel-II).

Porvorim.

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**Order**

5/42/2024-PER/2271

Date: 16-Jul-2025

Read: 1) Notification No. 5/8/2022-PER/757 dated 11/03/2025.

2) Notification No. 5/8/2022-PER/758 dated 11/03/2025.

3) Letter No. GIPARD/PA/JSO/004/A/2025-26/22 dated 24/06/2025.

Pursuant to the Departmental examination held from 28<sup>th</sup> to 30<sup>th</sup> April, 2025 at the Goa Institute of the Public Administration and Rural Development, Ella Farm, Old Goa in accordance with the notification read in preamble at serial number (1) & (2) and pursuant to the marks submitted by the Goa Institute of the Public Administration and Rural Development vide its letter read in preamble at serial number (3), the following Junior Scale Officers of Goa Civil Service who appeared in the said examination are declared as "PASSED":-

- 1) Shri Gaurish Khedekar.
- 2) Shri Agnelo Levlino D'Souza.
- 3) Shri Manthan Manish Naik.
- 4) Shri Abhijeet Uddhavrao Nikam.

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

*Raghuraj A. Faldesai*, Under Secretary (Personnel-I).

Porvorim.