

Panaji, 04th September, 2025 (Bhadra 13, 1947)

**SERIES II No. 23**

# OFFICIAL GAZETTE GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

*Note: There are two Extraordinary issues to the Official Gazette, Series II No. 22 dated 29-08-2025 as follows:-*

- 1. Extraordinary dated 29-08-2025 from pages 707 to 708 regarding Notification from Office of the Chief Electoral Officer.*
- 2. Extraordinary (No. 2) dated 29-08-2025 from pages 709 to 710 regarding Notification from Office of the Chief Electoral Officer.*

## GOVERNMENT OF GOA

### Department of Co-operation

Office of the Asst. Registrar of Co-operative Societies

5-350-1988/ARSZ/Cons/1149

Date : 05-Aug-2025

- Read:- 1) Showcause Notice dated 03/03/2003 issued to St. Andrew Consumers Co-op. Society Ltd., Vasco-da-Gama, Goa.
- 2) Showcause Notice/Interim Order No. 18-67-88/ARCS/SZ/Cons/172 dated 23-08-2004, issued to St. Andrew Consumers Co-op. Society Ltd., Vasco-da-Gama, Goa.
- 3) Office Order No. 18-67-88/ARCS/SZ/Cons/818 dated 01-11-2004 appointing Liquidator on the society.
- 4) Office Order 5-350-1988/ARSZ/Cons/2473 dated 06-12-2024 confirming termination of Liquidation proceedings of to St. Andrew Consumers Co-op. Society Ltd., Vasco-da-Gama, Goa.

Whereas, The St. Andrew Consumers Co-operative Society Ltd., Non-Mon, Khariwada, Vasco-da-Gama-Goa, was registered under the repealed Act, symbol code No. CON-14/South Goa/88 dated 03/02/1988 with the objects to provide for social and economical betterment of its members through self-help and mutual aid in accordance with the co-operative principles and to encourage the habit of saving amongst its members by mobilizing regular monthly thrift, cumulative deposits, saving recurring fixed and other type of deposit, to carry on trade for benefits of members, etc. as laid down in bye-laws of the society.

And whereas, vide this office Order referred at Sr. No. 3 above, an interim order referred at Sr. No. 2 above was confirmed and Shri. Subhash D. Gawas, then Junior Auditor, O/o. Asstt. Registrar of Co-op Societies, South Zone, Margao, Goa was appointed as St. Andrew Consumers Co-op. Society Ltd., Vasco-da-Gama, Goa.

And whereas, vide this office order dated 06/12/2024 (referred at Sr. No. 4 above), the termination of Liquidation proceedings of the St. Andrew Consumers Co-op. Society Ltd., Vasco-da-Gama, Goa as been confirmed.

In view of the above facts, I am inclined to pass the below mentioned Order:-

### ORDER

In exercise of powers vested in me under Section 19 of the Goa Co-operative Societies Act, 2001, I, Monal Manerikar, Asstt. Registrar of Co-op. Societies, South Zone, Margao-Goa, in furtherance to Order

referred at Sr. No. 4 above, hereby cancel the registration of the “St. Andrew Consumers Co-op. Society Ltd., Vasco-da-Gama, Goa”. The society shall, from the date of Order of cancellation, be deemed to be dissolved, and shall cease to exist as a corporate body.

*Monal Manerikar*, Asst. Registrar Co-op. Societies, South Zone.

Margao.

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**Department of Labour**

**Order**

28/36/2025-LAB/516

Date : 25-Aug-2025

Whereas, the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Cipla Limited and it's workmen, Shri Chandan Pradhan, Junior Operator-Production, 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 Union has locus standi to raise Industrial Dispute in respect of alleged dismissal of services of Shri Chandan Pradhan, Junior Operator-Production, on behalf of the workman 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 situated at Verna Industrial Estate, Salcete-Goa in dismissing the services of Shri Chandan Pradhan, Junior Operator-Production, is legal and justified?
3. If answer to issue No. (2) above is in negative, then to what relief the workman is entitled?

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

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

Porvorim.

**Order**

28/38/2025-LAB/517

Date : 21-Aug-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 Rocky Kumar Singh, Junior 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 Rocky Kumar Singh, Junior Associate Production, with effect from 17/12/2024, is legal and justified?

2. If not, to what relief the workman is entitled?

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/509

Date : 22-Aug-2025

The following Award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 05/08/2025 in Case Ref. No. IT/04/2020 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 INDUSTRIAL TRIBUNAL AND LABOUR COURT**

**GOVERNMENT OF GOA AT PANAJI**

(Before Mrs. Vijayalaxmi Shivolkar, Hon'ble Presiding Officer)

Ref. No. IT/04/2020

Workman Shri Shripad S. Pinge,  
BF-4-BS-4, C. D.,  
Patanga Co-operative Housing Society,  
Aquem, Alto,  
Margao-Goa.

..... Workman/Party I

V/s

The Managing Director,  
The Madgaum Urban Co-operative Bank Ltd.,  
Regd. Office at Varsha,  
Aquem, Alto,  
Margao-Goa.

..... Employer/Party II

Workman/Party I represented by Learned Advocate Shri S. Gaonkar.

Employer/Party II represented by Shri K. V. Nadkarny.

**AWARD**

**(Delivered on this the 5<sup>th</sup> day of the month of August of the year 2025)**

By Order dated 11.02.2020, bearing No. 28/04/2020-LAB/124 the Government of Goa 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) (hereinafter referred to as the "said Act") has referred the existing dispute between the Management of the Madgaum Urban Co-operative Bank Ltd., and its workman, Shri Shripad Pinge, for adjudication to the Industrial Tribunal of Goa at Panaji Goa, constituted under Section 7-A of the said Act. The Schedule of reference is as under:

## SCHEDULE

- (1) *Whether Shri Shripad Pingé, Junior Clerk, could be construed as workman as defined under Section 2(s) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947)?*
- (2) *If the answer to the issue No. (1) above, is in the affirmative, then, whether the action of the Management of the Madgaum Urban Co-operative Bank Limited, Head Office at Varsha, Aquem-Alto, Margao, Goa in dismissing Shri Shripad Pingé, with effect from 07/12/2012, is legal and justified?*
- (3) *If answer to issue No. (2) above is in negative, then to what relief the workman is entitled to?'*

2. Upon receipt of the reference, it was registered as IT/04/2020 and registered A/D notices were issued to both the Parties. Pursuant to service of notices, the Party I thereafter filed the Statement of Claim at Exhibit 4.

3. In the Statement of Claim, Party I stated that he was employed as a Senior Clerk with the Party II/Bank w.e.f. 01/12/1979 at their Margao Branch and subsequently, w.e.f. 01/12/1987 he was promoted to the post of Junior Officer and then w.e.f. 17/08/1998 he was sent to the Sanguem Branch as a Branch Manager. The Party I states that subsequently he was transferred to Benaullim Branch as Manager on 19/02/2002 and in the year 2003 he was sent back to the Margao Branch and from January, 2006 he was given the duties of an Accountant. The Party I states that the Order of reference wrongly shows his designation as 'Junior Clerk' whereas his initial appointment was that of a Senior Clerk and that he was an 'Accountant' with the Bank at the time of his dismissal.

4. The Party I states that while working at the Margao Branch at the time of issuance of the Show Cause Notice as well as the Charge-sheet, he was predominantly carrying out the duties of an Accountant which were manual and clerical in nature and at the time of the dismissal of his duties, his designation remained that of an 'Accountant' as he did not perform any managerial, administrative or supervisory duties. The Party I states that the duties carried out by him as an Accountant before his dismissal at the Margao branch were as under:

- a. *Starting the Bank server using the computer machine and initiating the Day-Opening by way of the computer process.*
- b. *Verification of withdrawal slips, cheques for deposits, after checking the computer entries.*
- c. *Verification of fixed deposits after checking the computer entry.*
- d. *Preparation of Day-Book using the Computer and verifying the same.*
- e. *Any other clerical work as directed by the Manager.*

5. The Party I states that the predominant nature of his duties were clerical and the duties were routine in nature. The Party I states that on 14/10/2006, a show-cause notice was issued to him by the Party II alleging irregularities in the matter of 'sanction' and 'disbursement' of certain loans pertaining to the year 2001. The Party I states that he was neither the Sanctioning Authority or the Disbursement Authority of the Bank and his job was to merely collect the information and forward the loan application to the General Manager and then the Board of Directors of the Bank would approve and sanction the loan and disburse it accordingly and at all time, the Party I had to act under the direct authority and orders of his General Manager and the Board of Directors.

6. The Party I stated that all the loans pertaining to which the show-cause notices were issued have been duly sanctioned by the General Manager and the Board of Directors and when criminal cases were filed against the Bank, the Management in order to protect the Managers and the Board have targeted the Party I/Workman and have made him a scapegoat in the process. The Party I states that the Party II/Bank in initiating disciplinary action is hit by delay and latches and has caused serious prejudice to the Party I/Workman and the delay was used by the Party II/Bank to conveniently manipulate the records as can be seen from the enquiry proceedings and the Party I was not in a position to effectively present his defence as the sole reason for the Party II/Bank to initiate the action with a huge delay was to protect the Management and

the Board. The Party I states that this delay has not been explained by the Party II/Management nor has it been questioned by the Enquiry Officer.

7. The Party I states that the Chairman of the Party II being the Appellate Authority for the disciplinary proceedings had no power to initiate the process by way of the show-cause notice dated 14/10/2006. The Party I states that a Charge-sheet cum Notice of Enquiry was issued by the Party II on 21/02/2007 reiterating the false and baseless allegations against him and he was suspended by the same letter. The said letter was replied by the Party I vide his reply dated 17/03/2007.

8. The Party I states that an inquiry was initiated and Adv. Shri Rohit Lobo was appointed as an Enquiry Officer and throughout the enquiry, the Enquiry Officer has acted as an agent of the Management. The Party I states that the Enquiry Officer has passed several orders denying the request of the Party I seeking relevant documents from the Management and even did not allow the representative of the Party I to effectively cross-examine the witnesses by disallowing certain pertinent questions and this has caused severe prejudice to the Party I as he could not effectively defend himself throughout the enquiry.

9. The Party I stated that during the enquiry, he was not paid subsistence allowance in accordance with the Industrial Employment (Standing Orders) Act, 1946 and this has caused severe prejudice to the Party I. The said Enquiry Officer gave his Findings on 01/10/2012 holding that the allegations against the Party I/Workman were established. Based on the perverse Findings the Party II dismissed the Party I by its Order dated 07/12/2012. The Party II also further forfeited the Gratuity payable to him by their illegal Order dated 10/12/2012.

10. The Party I states that the Dismissal Order is bad-in-law and the Party II/Management has committed unfair labour practices under Item 5 (a), (b), (c), (d) and (f) of the First Part of the Fifth Schedule under the Industrial Disputes Act, 1947.

11. The Party I states that he had initially challenged his dismissal before the Co-operative Court, however, since the law changed during pendency disputes pertaining to dismissal of bank employees were held to be not maintainable before the Co-operative Courts. This issue was taken by the Party I upto the Supreme Court however he did not succeed and the Supreme Court dismissed his Special Leave Petition by Order dated 11/07/2018.

12. The Party I states that the present dispute was raised before the Deputy Labour Commissioner, South Goa by letter dated 23/08/2018 where the matter ended in failure and accordingly, the present Order of Reference was made to this Tribunal. The Party I states that he has been continuously unemployed since his dismissal and could not secure any employment on account of his illegal dismissal and has now attained the age of superannuation i.e. 58 years on 31/07/2013. The Party I states that he is entitled for an Order and Award declaring that his dismissal was illegal and setting aside the same and for an Award of full back wages up to the date of superannuation with consequential and retiral benefits. The Party I further states that he is also entitled for his gratuity which has been wrongly forfeited by the Party II in violation of the Payment of Gratuity Act.

13. In the Written Statement, the Party II/Bank submits that they are a Co-operative Bank carrying on the banking business in the State of Goa and having its registered Office at Varsha, Aquem, Margao-Goa and that for the purpose of running of the banking business, they are employing different category of employees and Officers and in the process they had employed the Party I. Party II submits that based on the application and data submitted by the Party I for employment in the Bank, he was directly recruited and appointed as 'Senior Clerk' and thereafter was promoted as Junior Officer in the Bank in the year 1987.

14. The Party II submits that as per procedure followed in the Bank, employees on promotion to the post of Junior Officer are posted as Branch Managers at any one of the branch of the Bank and during their posting as Branch Managers, they execute and exercise all the powers as Branch Managers in the matter of sanctioning and disbursement of Loan and administrative and supervisory powers on the subordinate employees at the Branch, wherever they are posted as Branch Managers. The Party II submits that the Officers appointed in the Bank are covered under Officer's Settlement and not under Workers' Settlement. The Workers/employees covered under the Industrial Disputes Act, 1947 are covered under the Settlement signed exclusively with the workers'/employees' Union.

15. The Party II submits that the Party I/Shri Shripad Pinge ever since his promotion to the post of Junior Officer in the Bank in the year, 1987 till his dismissal he enjoyed and claimed all the service benefits like pay-scale fixed for the Officers as well as he was drawing all the other monetary service benefits derived to

Officers of the Bank. The Party II submits that after the dismissal from the services, the Party I had approached the Registrar of Co-operative Societies and had challenged his Dismissal Order dated 07/12/2012 under Section 83 of the Goa Co-operative Societies Act, 2001 claiming to be an Officer of the Bank and the Learned Registrar of Co-operative Societies passed the Judgment dated 21/11/2017 in the dispute No.10/20/2016/RCS.

16. The Party II submits that the Judgment and Order of the Learned Registrar of the Co-operative Societies, Panjim-Goa was challenged by the Party II before the Co-operative Tribunal in Co-op Appeal No.04/2016 along with Misc. Appln. No. 2/2016/STAY and the Hon'ble President of the Co-operative Tribunal was pleased to set aside the Impugned Order dated 17/12/2015 of the Registrar of the Co-operative Societies. The Party II submits that the Party I had challenged the Judgment of the Hon'ble Co-operative Tribunal in the High Court of Bombay at Goa in Writ Petition No.175 of 2018 which came to be dismissed on 14/02/2018. The Party II submits that the Party I had further challenged the Judgment of the High Court of Bombay, Goa Bench in Special Leave Petition Nos. 15015/2018, however, the same was dismissed by Order dated 11/07/2018.

17. The Party II submits that the Party I was also a Party to the proceedings before this Tribunal in the adjudication proceedings in reference No.IT/59/2003 and that the Party II had raised the issue of Party I along with seven others as not being 'workmen' as defined under Section 2(s) of the Industrial Disputes Act, 1947. The Party II further submits that this Tribunal by its Award dated 27/01/2019 was pleased to hold that they are not entitled to any relief, as the persons which included the name of Party I/Shri Shripad Pinge is not a 'workman' as denied under Section 2(s) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

18. The Party II submits that in view of the clear and adjudicated position of the Party I not being a 'workman' as denied under Section 2(s) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) and as the same has already been adjudicated by this Tribunal on an earlier reference No.IT/59/2003 between the Parties, the present reference made to this Tribunal by the Government is illegal, incompetent, bad-in-law and not justified and as such present reference be dismissed in limine as the Tribunal has already adjudicated issue of Party I not being a 'workman' as defined under Section 2(s) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), so he is not a 'workman'. Party II further states that the Party I in his representation dated 23/06/2018 which he addressed to the Dy. Labour Commissioner, Margao raising the dispute before the conciliation media has submitted that he joined as Junior Clerk with the Party II and further, throughout the conciliation proceedings maintained his false statement as Junior Clerk. Therefore it is wrong on the part of the Party I now again to make another false statement before this Tribunal that the order of reference wrongly shows his designation as "Junior Clerk" whereas his initial appointment was of "Senior Clerk". The Party II submits that considering their stand that the reference is non-maintainable as to settled and adjudicated position of the Party I as non-workman, the same may be rejected.

19. Considering the Claim Statement of Party I and the Written Statement filed by the Party II, the then Ld. Presiding Officer of this Tribunal was pleased to frame the following issues at Exhibit 7 on 08/02/2021:

#### ISSUES

1. *Whether the Party I proves that he is a 'workman' as defined under Section 2(s) of the Industrial Disputes Act, 1947?*
2. *Whether the Party I proves that the action of the Party II in dismissing him w.e.f. 07/12/2012 is illegal and unjustified?*
3. *Whether the Party I proves that he is entitled for relief claimed?*
4. *What Award? What Order?*

#### 19. Additional Issues

- 1A. *Whether the domestic inquiry conducted by the Employer and the findings therein is fair and proper and in compliance of natural justice?*
- 1B. *Whether the findings of the Inquiry Officer are perverse or not?*

**20. For the sake of convenience, the Issue No. 1B is re-casted as under:**

*Whether the Party II/Management proves that the Findings given by the Enquiry Officer are based on the legally acceptable evidence on record and hence justified?*

**21. Re-Cast Issue**

*Whether the Party II proves that the present reference is not maintainable in view of the findings given in the reference No. IT/59/2003 which operates as res judicata?*

22. I have gone through the records i.e. the pleadings, the oral as well as documentary evidence adduced by both the Parties, the written synopsis filed by the Party II, the oral arguments advanced by both the Parties and after considering the same my findings on the issues with reasons are as follows:

|                              |   |                    |
|------------------------------|---|--------------------|
| Issue No. 1                  | : | In the Negative    |
| Re-Cast Issue                | : | In the Affirmative |
| Additional Issues No. 1A & 1 | : | In the Affirmative |
| Issue No. 2                  | : | In the Negative    |
| Issue No. 3                  | : | In the Negative    |
| Issue No. 4                  | : | As per Final Order |

**REASONS**

23. *Issue No. 1:* According to Party I he was employed as a Senior Clerk with the Party II/Bank w.e.f. 02/01/1979 at their Margao Branch and subsequently, w.e.f. 01/12/1987 he was promoted to the post of Junior Officer and then w.e.f. 17/08/1997 he was sent to the Sanguem Branch as a Branch Manager. Subsequently he was transferred to Benaolim Branch as Manager on 19/02/2002 and in the year, 2003 he was sent back to the Margao Branch and from January, 2006 he was given the duties of an Accountant. Thus, according to Party I, in the Order of reference his designation has been wrongly mentioned as 'Junior Clerk' whereas his initial appointment was that of a Senior Clerk.

24. In the enquiry proceedings that was held against him, the MR has produced on record the Appointment Letter of the Party I dated 27/12/1978 at Exhibit M/21 which letter confirms that the Party I was appointed as Senior Clerk in the services of the Bank. The Party II has rejected the Claim of the Party I that he was working as an Accountant at the Margao Branch and was predominantly carrying out the duties of an Accountant which were manual and clerical in nature and at the time of the dismissal of his duties, his designation remained that of an 'Accountant' as he did not perform any managerial, administrative or supervisory duties.

25. Further according to Party I as an Accountant he carried out the duties such:

- a. *Starting the Bank server using the computer machine and initiating the Day-Opening by way of the computer process.*
- b. *Verification of withdrawal slips, cheques for deposits, after checking the computer entries.*
- c. *Verification of fixed deposits after checking the computer entry.*
- d. *Preparation Day-Book using the Computer and verifying the same.*
- e. *Any other clerical work as directed by the Manager.*

26. The Party II in support of their contention that the Party I was appointed as a Junior Officer has produced on record his Appointment Letter dated 15/12/1986 (Exh. M/22). When confronted with this Appointment Letter, the Party I admits its contents and states that he was appointed as a Junior Officer as on adhoc basis for a period of 30 days from 16/12/1987. That vide Letter of Appointment dated 13/02/1987 (Exh. M/23), Party I was appointed as a Junior Officer on adhoc basis for a further period of 30 days. Party I further admits he having protested for his appointment as a Junior Officer on adhoc basis vide letter dated 14/02/1987 at Exhibit M/25. He further admits of show-cause notice being issued to him dated 21/02/1987 (Exh. M/26) for refusing to work as a Junior Officer on adhoc basis. To the said show-cause notice he filed his reply stating

that he was prepared to carry out the duty as a Junior Officer, Reply dated 24/02/1987 at Exh. M/27. Vide Appointment Letter dated 23/09/1987, Party I was appointed as a Junior Officer on adhoc basis for a period of 30 days w.e.f. 24/09/1987 and admits that the fresh Appointment Letter was purely on temporary basis which could be extended if found necessary by the Bank and that upon this last fresh appointment as Junior Officer he did not protest for the said appointment which appointment as Junior Officer on adhoc basis was extended upto 29/11/1987 and further upto 30/11/1987. All these facts have been admitted by the Party I besides the same being proved by the Party II by producing documentary evidence to that effect.

27. The admissions of Party I as well as the evidence on record in the domestic enquiry clearly nullifies the contention of Party I that at the time when the charge-sheet was issued to him he was working at the Margao Branch as an Accountant. The Learned Adv. Shri S. Gaonkarin support of the contention of Party I to show that he is a 'workman' u/s 2(s) of the Act, has placed reliance on the below mentioned citations to better understand the concept of 'workman' u/s 2 (s) of the Act.

28. In the case of **HR Adyanthaya v/s Sandoz, (1994) 5 SCC 737** it is held that "*It is thus obvious from this decision given as late as in 1988 that the Court reiterated the earlier decision in May & Baker case<sup>1</sup> and instead that before a person could qualify to be a workman within the meaning of the ID Act, he had to satisfy that he did work of any of the four types mentioned in the main body of the definition and that it was not enough that he did not fall within any of the four exceptions in the definition*".

29. In the case of **Procter and Gamble Health Limited v/s Anupa Desai 2021 SCC On Line Bom 981** it is held that "*Incidentally, in Standard Chartered Bank (supra) the employee in question was appointed as "Personnel Financial Consultant". His job responsibilities or his job role was to achieve allocated business targets, ensuring high-quality customer service, ensuring external and internal compliance on all branch transactions, handling difficult customer situations, and contributing to the overall achievement of business growth. Even the key responsibilities assigned to this employee have been set out in some detail in paragraph 2 of the decision. Based upon all these factors, this Court concluded that the employee was not a workman. In the present case, applying the very test set out in Standard Chartered Bank (supra) and having regard to the job description of the respondent employee, no case is made out to interfere with the finding of fact recorded by the Tribunal that the respondent employee was indeed a workman under Section 2(s) of the said Act. Similarly, in G. S. Khairkar (supra), the employee in question was the Assistant Security Supervisor, who was found to be working in the capacity over other security guards. Based upon this factual premise, the employee was held not to be a workman under Section 2(s) of the said Act. The facts in the present case are quite converse*".

30. In the case of **Bhatiya General Hospital v/s Hanmant Anandrao Raje & Others, 2023 SCC On Line Bom 1105** it is held that "*The definition of "workman" under section 2(s) of the Industrial Disputes Act, 1947 is of wide amplitude. Four classes of employees are, however, specifically excluded from the definition of workman. An employee who is employed mainly in a managerial or administrative capacity or the one who is employed in a supervisory capacity, draws wages exceeding Rs.10,000/- per month or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature is, inter alia, excluded from the definition of workman. The use of the term, "mainly" underscores the dominant nature of the duty so as to fall outside the protective umbrella of the labour legislation. By its very nature, the question as to whether an employee is a workman or not is rooted in facts.*

31. The Party I/Workman however in his cross-examination demolished his own case by admitting several facts related to his working and duties performed by him when he was issued the charge-sheet as well as after his promotion as a Manager to various branches of the Party II. The Party I in the enquiry proceedings categorically admitted that he was promoted as a Junior Officer and posted at Sanguem Branch. He admitted that when transferred to Sanguem Branch from Margao Branch he was holding the charge of Branch Manager at Sanguem Branch. Party II produced on record the Letter dated 28/11/1987 (Exh. M/31) to show that the Party I was holding the charge of Sanguem Branch in 1988. When asked, he said he has nothing in writing to show that he was forced to officiate as a Branch Manager at any time during his career with the Bank whenever he was posted at any of the branches as Branch Manager as all the time the Party I took a defence that he was an officiating Branch Manager which defence of his has been diluted each time when the Party II produced on record the written Appointment Letters issued to the Party I and further upon being confronted with each letter of Appointment the Party I admitted its contents however tried to justify the same with oral justification not supported by any written document.

32. Party I further categorically admitted that after working for nearly 10 years in the Margao Branch as an Officer, in 1998 he was again transferred as Branch Manager to Sanguem Branch. Besides his admission,



the above fact has been confirmed by Party II by producing the letter dated 14/08/1997 (Exh. MW3/P) i. e. the letter whereby the Party I was transferred to Sanguem Branch as a Branch Manager from Margao Branch where he was working as an Officer. Here also he admits of having not protested or complained to the Management about his designation and functioning as a Branch Manager.

33. On the contrary, he admits that as a Branch Manager at Sanguem Branch as per the Transfer Order at Exh. MW-3/P, he signed all the papers for the Bank as a Bank Manager. From Sanguem Branch, Party I was transferred to Benaulim Branch w.e.f. 19/02/2002 as a Branch Manager which fact he again admits, however, makes an unsuccessful attempt to defend himself by saying that he was officiating Branch Manager which defence is certainly contrary to the documents on record produced by Party II as well as contrary to his own admissions at certain point of time whereby he admits of having performed managerial duties and having not protested or complained to the Party II/Bank.

34. Thus, the Party I has miserably failed to show that he was performing the duties and more particularly described in the Claim Statement as an Accountant when infact his own admissions and the documents produced on record by Party II clearly shows that he was performing the duties as a Junior Officer and thereafter all the duties as a Branch Manager. Thus, by no stretch of imagination it can be held that the Party I is a 'workman' u/s 2 (s) of the Industrial Disputes Act, 1947. Hence, this issue stands answered in the negative.

35. *Re-Cast Issue*: It is the contention of the Party II that the Party I was one of the Party to the proceedings before this Tribunal in the adjudication proceedings in reference No.IT/59/2003 wherein the Party II had raised the issue of Party I along with seven others they being not the 'workmen' as defined under Section 2(s) of the Industrial Disputes Act, 1947. The Party II has produced on record the Award passed by this Tribunal on 29/01/2020 published in the Official Gazette dated 27/02/2020. In the said Award the Tribunal after analyzing evidence on record gave its findings that the Party I and one more employee in the said reference are not 'workmen' as defined under Section 2(s) of the Industrial Disputes Act, 1947.

36. It is further submitted that the said Award since has not been challenged either by the Union who was representing the Party I in the said reference nor the same has been challenged by the Party I in his personal capacity. Thus, according to the Party II, the Award passed by the Tribunal in the said reference has attained finality and therefore the Party I herein is not entitled to agitate the issue of he being the 'workman' in the present reference. The Award passed in the said reference thus operate as res-judicata vis-à-vis the contention of the Party I/Workman that he is the 'workman' in this present reference. In the case of **Central Bank of India V/s Dragendra Singh Jadon 2022 LLR 948** wherein it is held "*res-judicata debarbs the Court from exercising jurisdiction to determine the lis, if it has attained finality between the Parties.*"

37. In the case of **Jamia Masjid v/s Shri K. V. Rudrappa (since deceased) by Legal Representative (2022) 9 SCC 225** Sec.11 Res judicata - it is held "twin tests are – (i) *Whether the adjudication of issue was necessary for deciding the principle issue (necessary test) and (ii) whether judgment in suit is based upon decision on that issue (essentiality test)*".

38. In the case of **Federation of Directly Appointed Officers of Indian Railway v/s Union of India and Others. etc. etc. 1993 II CLR 318** held that "*the dispute now sought to be raised under Article-32 of the Constitution between the officers in a representative capacity and regularly appointed Engineers also in a representative capacity must be held to be barred by principles of res-judicata as also in the rule of constructive res-judicata*". 1

39. As against this, it is the contention of the Party I/Workman that the said reference whereby the findings to the effect that the Party I is not the 'workman' has attained finality is not relevant to dismiss the present reference on the basis of res-judicata as according to the Party I the said reference pertains to Charter of Demands of the minority Union. Merely because the earlier reference pertains to the Charter of Demands of the minority Union, that itself does not dilute the operation of res-judicata if it is shown that Parties to the said reference and the one who are to the present reference are same and the subject matter of the dispute is also the same. In the said reference a specific defence as regards to whether the Party I/Workman along with another is a 'workman' was taken and a issue came to be framed on that defence. In the present reference also one of the key issue that has been raised by the Party II is that whether the Party I is a 'workman' or not as defined u/s Section 2(s) of the Industrial Disputes Act, 1947. The fact that the said issue has been decided against the Party I/Workman and the same not being challenged anywhere, the said findings therefore operate as res-judicata against the specific defence and the issue framed by this Tribunal in the present reference. In the circumstances, this Tribunal proceeds to answer this re-cast issue in the affirmative in favour of Party II.

40. *Additional Issue No. 1A and 1B:* It is a matter of record that the Party I, Shri Shripad M. Pinge was placed under suspension by the Management/Party II. Pursuance to that, proceedings of disciplinary enquiry was instituted against Party I. In the said proceedings, Mr. Rohit Lobo was appointed as an Enquiry Officer. Mr. K. V. Nadkarny played the role of Management Representative. Mr. P. Gaonkar was the Defence Representative for Party I. In the said enquiry proceeding the Party I was given fair opportunity to put up his defence which fact is revealed from the marathon cross-examination of the witnesses examined by the Management which was conducted by the Defence Representative. The proceeding sheets of the Enquiry shows that both the Parties to the said enquiry availed fair opportunity to put up their respective case through the witnesses examined by them as well as there are piles of documents produced on record to substantiate the claim of each Party. Even otherwise, the Party I in his Statement of Claim did not specifically avert of the enquiry being not conducted in accordance with the principles of natural justice.

41. Though the enquiry was initially conducted by the Enquiry Officer, Adv. Rohit Lobo, thereafter he returned the File on account of his personal reasons and the enquiry continued with Adv. Gourish Kamat being appointed as an Enquiry Officer. Except one incident of the Enquiry Officer rejecting the request made by the Party I seeking direction to the Management to examine Shri Ramakant Angle, there are no other incidents pleaded in the Statement of Claim alleging any acts of non-compliance of the principles of natural justice by the Enquiry Officer.

42. In the Findings, the Enquiry Officer elaborately discussed the evidence on record which evidence substantially proved the guilt of the accused. The accused during the enquiry as well as during the course of his cross-examination made several vital admissions which shows that the Party I had sanctioned loans without verifying the material facts and that the loans were released without taking into consideration the paying capacity of the Loanee. The Party I recommended loan to Mr. C. H. V. K. G. Rao by forwarding his Loan Application to the Head Office without seeking from Mr. Rao the Road Permit and Fitness Certificate to purchase the public carrier vehicle. During the enquiry when explanation was sought, the Party I in his explanation letter dated 17/03/2007 stated “even if there were some lapses occurred from me, the Management ought to have brought to my notice immediately on the receipt of the said document”. The Party I thus indirectly admitted of he having committed lapses in the process of sanctioning loan to the borrowers.

43. The Enquiry Officer in his Findings dated 01/10/2012 after examining the extensive evidence put forth by both the Parties came to the conclusion and observed that the CSE has admitted that he had processed the Loan Application of Mr. Rao and had forwarded the same to the Head Office with his recommendations. The CSE had also admitted that as per the procedure followed by the Bank in all the branches in the process of disbursement of loan to Mr. Rao as per Sanction Letter, the amount was credited to his A/c No. CD/59 on 24/03/2001 as per Statement of Account and necessary endorsement was made by him on the reverse of the Sanction Letter and signed by him. It is also an admitted position that as per the Statement of Account, immediately after crediting the loan amount to account of Mr. Rao, said Mr. Rao was allowed to withdraw an amount of Rs. 35,000/- by self cheque and an amount of Rs. 25,000/- by cheque in the name of Mr. Ajit in violation of condition No.8 conveyed to him vide Sanction Letter dated 21/03/2001.

44. Though the CSE has stated that the said amount was permitted to be withdrawn as per the instructions from the Head Office and Director for the purpose of maintenance and repairs after production of bills and receipts, however the CSE could not substantiate the same and thus amounted to non-adherence to the conditions of the Sanction Letter dated 21/03/2001 and thus constituted misconduct of “willful insubordination or disobedience to the Superiors”. Further, verification of the Current Account Statement in respect of Mr. Rao at the Sanguem Branch reveals that immediately upon the sanction of the Loan of Rs.10/- Lakhs, the CSE as the Branch Manager of the Bank has disbursed the said amount by allowing the Borrower to withdraw an amount of Rs.1,98,000/- within one and a half months i.e. from 24/03/2001 to 09/05/2001, in violation of the conditions of the Sanction Letter dated 21/03/2001 conveyed to him in writing by the Head Office, in cash or by bearer Cheques which constituted misconduct of “willful insubordination or disobedience to the Superiors” and further failed in his duties and responsibilities cast on him as per the Settlement governing the duties and responsibilities of the Officer-in-Charge of Loans and Advances being the Branch Manager at the relevant time, which specified the CSE as “responsible for complying with terms on sanction letters and then disbursing the loan”.

45. It is further stated and submitted that the evidence on record proves that the Loan of Rs.10/- Lakhs was sanctioned to Mr. Rao for the definite purpose of purchase of 4 second hand trucks, value of which was finally settled at Rs.8/- Lakhs by the original owners M/s Delta Constructions System Ltd., whereas out of the sanctioned loan of Rs. 10/- Lakhs after the cost price of the 4 trucks purchased from M/s. Delta Constructions

System Ltd., was remitted by the CSE by a Demand Draft dated 24/03/2001, the CSE as a Branch Manager, Sanguem Branch of the Bank in violation of the sanction conditions of loan conveyed to him in writing by the Head Office, allowed and permitted the Borrower to withdraw the amount in cash or by bearer Cheques and thereby committed misconduct of “willful insubordination or disobedience to the Superiors” and further failed in his duties and responsibilities cast on him as per the Settlement governing the duties and responsibilities of the Officer-in-Charge of Loans and Advances being the Branch Manager at the relevant time, which specified the CSE as “responsible for complying with terms on sanction letters and then disbursing the loan”.

46. The CSE has admitted that as per the Statement of Account, Mr. Rao had not deposited or credited any amount to his loan account in the month of April, May and June, 2001 and further that Mr. C. H. V. K. G. Rao had not paid by way of monthly installment in the sum of Rs. 35,520/- as installment for the months of April, May and June, 2001, however there was no Memo or a letter from the CSE as Branch Manager to the Head Office intimating about the failure of the Borrower Mr. C. H. V. K. G. Rao to pay monthly installments on due dates or violation of the condition as aforesaid.

47. Further, that though in application for Loan, the Borrower had mentioned therein that his source of income was Rs. 1,50,000/- per month and the family expenses only Rs. 5,000/- per month, however, the CSE never bothered to advise the Borrower to submit a copy of the last three years Income Tax Returns, to ascertain the correct financial position of the Borrower, as the Borrower was claiming his income as Rs. 1,50,000/- per month i.e. annual income of Rs. 18/- Lakhs. Though the witness No.3 for the Bank admitted that under Clause 1(p) of the Loan Application, there is no mention that the Income Certificate was to be annexed along with the loan proposals, but added that such Income Certificate was required to be annexed along with the Loan Application in order to verify whether the said income shown is correct or not. The aforesaid facts thus proves that the CSE deliberately and intentionally failed in his duties and responsibilities as the Branch Manager of Sanguem Branch to take due precaution to check, verify and counter verify the statements of facts made in the application for securing a loan of Rs. 10 Lakhs, which was subsequently forwarded to the then General Manager/CEO of the Bank for placing before the Board, for the approval filled and duly supported by reliable, credit worthy and authentic documents.

48. Further, though Mr. Baburao R. Naik, who stood as Surety No. 1, had produced a TDS Certificate from L.I.C. for the year 1999-2000, however, the CSE intentionally and dishonestly failed to seek proper Income Tax Certificate from the main Borrower, and thus the CSE failed in his duties and responsibilities cast upon him as the Branch Manager of the Sanguem Branch and the Officer-in-Charge of Loans and Advances to verify that the Loan Application by the Borrower was properly filled.

49. Further, Salary Certificate issued to Mr. B. N. Manibabu is to stand Surety to Mr. C. H. V. K. G. Rao for a loan of Rs. 30,000/- only, hence the same was not sufficient for standing Surety for a loan of Rs. 10/- Lakhs. That, the said Shri Manibabu was accepted as a Guarantor by the CSE as the Branch Manager, while processing and forwarding the Loan Application. Regarding the same, the CSE in his cross-examination admitted that Salary Certificate issued to Mr. Manibabu at Exh. E/29 was issued to stand Surety to Mr. C. H. V. K. G. Rao for a loan of Rs. 30,000/-, however stated that the Salary Certificate was accepted since he was instructed by the Directors to take the same and forward it to the Head Office. He further stated that he did not have any documentary evidence to prove his statement that he was instructed by the Director to accept the above Salary Certificate of Mr. Manibabu as Surety for the loan of Mr. C. H. V. K. G. Rao as the said instructions were oral.

50. It is further clear from the record that the said Valuation Reports have been issued at the request of Mrs. C. H. V. K. G. Rao, whereas the Loan is applied by Mr. C. H. V. K. G. Rao, which discrepancy had not been observed by CSE as Branch Manager, while forwarding the said documents to Head Office, namely said Valuation Reports dated 04/01/2001 which are issued at the request of Mrs. C. H. V. K. G. Rao. Further, CSE has admitted that since Mr. C. H. V. K. G. Rao was the person who had applied for the Loan, therefore all the papers and Certificates should have been in favour of Mr. C. H. V. K. G. Rao. He admitted that the Valuation Certificates dated 04/01/2001 issued by Mr. Tejpal Diwani were issued at the request of Mrs. C. H. V. K. G. Rao and not at the request of Mr. C. H. V. K. G. Rao. CSE has further admitted that in the Valuation Reports dated 04/01/2001 there is no mention, as to the place, where the valuation was carried out nor the said Reports states the kilometer reading in respect of each vehicle at the time when valuation was done.

51. CSE has further admitted that the Valuation Certificate (Exh. MW-3/B) is not dated and it cannot be ascertained on what date the said Certificate was issued by Delta Construction Systems Ltd., however stated that the same was received by him along with the Loan Application. CSE has further admitted that it is correct that the remark he had put that “the Applicant is having a contract with Delta Constructions Systems Ltd. and

is confident that work will be entrusted to him for the next 5 years” and the contract he was referring to, is the same that he had referred to at sub-clause (g) of Clause 3, i.e. letter dated 10/01/2001 from Delta Construction Systems Ltd. which is at Exhibit MW-3/I. He has further admitted that Exh.MW- is a letter and not a contract between Mr. C. H. V. K. G. Rao and Delta Construction Systems Ltd. The CSE admitted that the above letter dated 10/01/2001 (Exh. MW-3/I) nowhere states for what period the work of transportation of ore will be allotted to Mr. C. H. V. K. G. Rao however stated that they would give continuous work to his vehicles.

52. It is further stated that the document at Exh. MW-3/I does not indicate or give any details as to, at which mining site trucks of Mr. C. H. V. K. G. Rao would be engaged and at what rate the same would be done or the monthly tonnage to be carried out by the said trucks, nor for how many months per year the said trucks of Mr. C. H. V. K. G. Rao would be engaged on yearly basis. Therefore, said letter was vague and did not indicate repayment capacity of the Borrower and therefore the same should not have been considered, at the time when loan proposal was processed. Further, the said letter also does not indicate that the vehicles would be engaged for a period of 5 years by Delta Construction Systems Ltd. Therefore, remarks on the Loan Proposal Form put by the CSE while recommending the loan, are not supported by any details in the letter at Exh.MW-3/I.

53. The aforesaid facts cumulatively goes to prove that the CSE in derogation of his duties and responsibilities had dishonestly and/or intentionally neglected to properly scrutinize, verify documents submitted to him by the Borrower along with his Loan Application. Further, though the supporting documents submitted by the Borrower in support of his Loan Application carried irregularities/ discrepancies in the facts and figures including the quotation submitted by the Borrower for the purchase of 4 trucks, however the CSE failed to take due precaution in getting the Loan Application properly filled and scrutinized from the Borrower before forwarding the same to the Head Office and in this the CSE showed lack of absolute devotion, diligence, integrity and honesty in the discharge of his duties as Branch Manager of the Bank. Further, it was the responsibility of the CSE as an employee of the Bank and employed as Branch Manager of the Bank to check and verify and ensure that the proposals received by him for sanction of loans/advances are filled in properly and signed before the same and forwarded to the Head Office by the Branch Manager for placing the same before the Board for sanction and therefore it was a clear case of intentional and dishonest neglect on the part of CSE in the matter of forwarding the Loan Application of Mr. Rao to the Head Office.

54. It is further stated and submitted that though a duty was cast on the CSE as a Branch Manager to see that the vehicles against which the Loan is granted are duly insured and the insurance policy should always remain with the Branch Office of the Bank showing the noting of Bank interest in the vehicles by way of Hypothecation recorded in the R. C. Book and further that it was also the duty and responsibility of the CSE as Branch Manager and as Officer-in-Charge of the Branch to verify from the proposal papers submitted at the Branch that the Borrower has produced Insurance Policies from the date of sanction of loan and further to see that the policy of the vehicle always remain in force and the same is renewed from time to time, however the perusal of documents on record in relation to the sanction of the Loan to Mr. Rao reveal that the Insurance Policies in respect of three trucks were figuring in the name of Delta Constructions Limited who were the original owners of the Tipper Trucks.

55. From the discussion above, it can be very well appreciated that the Enquiry Officer has discussed each and every aspect of the evidence produced before him and has finally reached to the conclusion that the Party II i.e. the Management has abundantly proved that the CSE as the Branch Manager of the Sanguem Branch had in utter violation of the terms and conditions of the Sanction Letter dated 21/03/2001 (Exh. MW-12B), conveyed to him in writing by the Head Office, committed serious irregularities and gross misconduct of “willful insubordination and disobedience to the written instructions conveyed to him as Branch Manager, in the matter of disbursement of a sum of Rs.10/- Lakhs, in violation of terms and conditions of sanction of loan” and further misconduct of “Fraudulent and/or dishonest acts in relation to the affairs and the assets of the Bank” as the then Branch Manager of Sanguem Branch and further misconduct of “Failure to handover the property of the Bank to the superiors, misusing the Bank’s property for his/her personal use without due sanction and authority” as alleged against him, thereby the bank has succeeded in proving the misconducts alleged against the CSE.

56. That considering the fat and bulky proceedings in the enquiry vis-à-vis the Findings given by the Enquiry Officer as discussed hereinabove, there is no place left out to doubt that the enquiry conducted was not fair and proper and that the Findings given by the Enquiry Officer are not based on the legally acceptable evidence on record. In other words, there has been a complete fair and proper enquiry conducted by following all the procedures and the principles of natural justice and the Findings given by the Enquiry Officer are

certainly based on the evidence on record for which I am to answer both the issues taken together in the affirmative.

57. *Issue No. 2:* The Party II/Management while answering the re-casted Issue No. 1A and 1B have discharged their burden to prove both these Issues in their favour in the affirmative. Therefore, in view of the discussions, observations and Findings given in Issue No. 1A and 1B, this Issue stands answered against the Party I/Workman in the negative.

58. *Issue No. 3:* While answering the Issue No.1, this Tribunal has concluded that the Party I/Workman is not a 'workman' as defined under Section 2(s) of the Industrial Disputes Act, 1947. While answering the re-casted Issue, this Tribunal has held that the Party II/Management has succeeded to prove that the present reference is not maintainable in view of the findings given in the reference No. IT/59/2003 which operates as res judicata. In the additional Issue No.1A and 1B this Tribunal has held that the enquiry conducted against the alleged charges of misconduct is fair and proper and that the charges of misconduct has been proved by way of legally admissible evidence. The collective Findings taken together on all the above issues makes the Party I/Workman disentitled for any of the Claim made in the present reference.

Hence the following Order:

### ORDER

1. The reference dated 11.02.2020 stands dismissed.
2. The Party I/Shri Shripad Pinge is not entitled for any relief.
3. Inform the Government accordingly.

Date: 05-08-2025.

Place: Panaji-Goa.

*Vijayalaxmi Shivolkar*  
Presiding Officer,  
Industrial Tribunal-cum-Labour Court.

### Notification

28/02/2025-LAB/Part-IV/515

Date : 22-Aug-2025

The following Award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 05/08/2025 in Case Ref. No. IT/72/2000 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.

### IN THE INDUSTRIAL TRIBUNAL AND LABOUR COURT GOVERNMENT OF GOA AT PANAJI

(Before Mrs. Vijayalaxmi Shivolkar, Hon'ble Presiding Officer)

Ref. No. IT/72/2000

Shri Dilbahadur Chhatri (since deceased),

#### Legal heirs

- 1) Smt. Dilmaya Chhetri (wife)
- 2) Shri Rikh Bahadur Chhetri (Son)
- 3) Devi Chhetri (Daughter)

Rep. by the Goa MRF Employees Union,  
Saidham, Dhavalimol, Ponda-Goa

... Workman/Party I

V/s.

M/s M.R.F. Limited, Curti,  
Ponda-Goa.

... Employer/Party II

Workman/Party I represented by Learned Advocate Ms. S. Narvekar.

Employer/Party II represented by Learned Advocate Shri S. B. Karpe along with Adv. Ms. S. Vaigankar.

#### AWARD

**(Delivered on this the 5<sup>th</sup> day of the month of August of the year 2025)**

By Order dated 22<sup>nd</sup> September, 2000 bearing No. IRM/CON/PONDA/(268)/99/4761, the Government of Goa in exercise of powers conferred by Section 10(1)(d) of the Industrial Disputes Act, 1947 (for short 'The Act'), has referred the following dispute to this Tribunal for adjudication:

#### SCHEDULE

- (1) *“Whether the action of the management of M/s. MRF Limited, Usgao, Ponda-Goa, in awarding punishment to Shri Dilbahadur Chhattri, of one day suspension from work on 26-8-1997 without wages, is legal and justified?”*
- (2) *“If not, to what relief the workman is entitled?”*

2. Upon receipt of the reference, it was registered as IT/72/2000 and registered A/D notices were issued to both the Parties. Pursuant to service of notice, Party I filed his Claim Statement at Exhibit 5.

3. It is the case of the Party I/Workman that since the formation of the Union, the Company has been attempting to disrupt the unity of the workmen employed by the Company and who are members of the Union. Of late there has been large scale harassment and victimization of the Union Office Bearers and its other members due to their legitimate Trade Union activities. The harassment, inter-alia, include illegal changes in service conditions, unjustified and unwarranted suspensions, charge-sheets on false and fabricated charges, refusal to negotiate in good faith and impositions of unfair labour practices in the guise of following management policy etc. and further including the present illegal suspension of the Union's member, Mr. Dilbahadur Chhattri.

4. The Party I/Workman stated that by letter dated 15.03.1997, the said workman was issued a suspension order pending enquiry, which was illegal and untenable at law. The said workman was further issued a Charge-sheet dated 21.03.1997, which was also illegal and untenable at law and it was based on the allegation that on 13.03.1997 the workman had allegedly failed to check a lorry bearing Registration No. KA-01-1747 when it was going out and also failed to notice a box of nuts/bolts kept inside the cabin of the Lorry and had, therefore abated in unauthorized removal of Company property amongst other misconducts.

5. The Party I states that the enquiry into the aforesaid alleged charge of misconduct commenced from 21-05-1997 and concluded on 01-08-1997 without following the principles of natural justice and without affording a reasonable opportunity of defence to the said Workman. It is stated that during the enquiry proceedings throughout, the Workman had co-operated fully and completely with the conduct of enquiry proceedings inspite of same being one-sided and unfair, which is evident from the records of the enquiry proceedings and, therefore, it was totally unjustified, malafide and ex-facie illegal and improper for the Enquiry Officer to have blamed the Workman and his defence representative for the purported delay. The Party I/Workman states that the charge-sheet issued against him was ex-facie illegal and untenable at law and that he was not allowed to be defended by a person of his choice.

6. The Party I states that the Enquiry Officer had conducted the enquiry devoid of the principles of natural justice. Further, the Enquiry Officer did not afford any opportunity of defence to the said workman nor did he call upon the parties to give their final submission before closing the inquiry proceedings. The Party I states that there was no evidence supporting the charges leveled against him and that the charges leveled did not constitute any misconduct under the Standing Orders at all as the enquiry held against him was devoid of

any rule of natural justice and was clearly ex-facie unfair and improper. The Party I/Workman states that he was prejudiced at each stage of the inquiry.

7. The Party I stated that the Company did not issue any show-cause notice to the said workman after the completion of the enquiry proceedings nor was the said workman asked to tender his explanation to the punishment of suspension and thereby severely prejudicing him in his defence. Thereafter, on 21.08.1997 the said workman was served the Order of Suspension by way of punishment.

8. The Party I stated that the charge-sheet issued to him was ex-facie illegal and untenable at law and that he was not allowed to be defended by a person of his choice. He further stated that the Enquiry Officer has conducted the enquiry devoid of the principles of natural justice and did not afford even a reasonable opportunity of defence to him nor did he call upon the Parties to give their final submissions before closing the enquiry proceedings.

9. Hence, it is prayed that the punishment of suspension imposed on Mr. Dilbahadur Chhatri be revoked, quashed forthwith and the said Mr. Dilbahadur Chhatri be paid full wages for the period of suspension imposed on him with continuity of the service and other consequential reliefs.

10. In its Written Statement filed at Exhibit 6 the Party II submitted that Mr. Dilbahadur Chhatri was charge-sheeted vide Charge-sheet dated 21.03.1997 for alleged misconduct whereby it is alleged that while on duty on 13.03.1997 in shift II, Party I failed to notice a box of Nuts/Bolts kept in the cabin of Lorry bearing registration No. KA-01-1747 which was to be unloaded in Stores as per delivery Challan No. 80 dated 11.03.1997 sent by M/s System Control Salam Madras and which went outside the Gate after Party I checked the lorry and was returned to the Security Office by the Lorry driver only on the next day after realizing that the same was not checked by Party I.

11. The Party II submitted that the Party I while on duty committed negligence of duty which, if proved, amounts to gross misconduct under the Items XI, XVIII, XX and LII of the Certified Standing Orders of the Company which reads as follows:

- |                          |   |
|--------------------------|---|
| <i>Cl. 21 Item XI</i>    | : <i>Negligence of work.</i>  |
| <i>Cl. 21 Item XVIII</i> | : <i>Unauthorized removal or siding or abetting unauthorized removal of the company property.</i>   |
| <i>Cl. 21 Item XX:</i>   | : <i>Failure to perform his normal duties and/or responsibilities, any other work for which he has the basic skills or may be trained by the company from time to time.</i> |
| <i>Cl. 21 Item LII</i>   | : <i>Any act subversive of discipline and with which you are charged.</i>   |

12. The Party No. II submitted that the enquiry was conducted by Mr. Oscar Colaso vide his appointment letter dated 21.05.1997 and concluded the enquiry after giving sufficient opportunity to the workman at the enquiry. Mr. R. G. Patil represented the Management vide his appointment letter dated 21.05.1997. The Party II submitted that the Party I/Workman was suspended pending enquiry for commission of serious acts of misconduct while on duty involving negligence of work, failure to perform normal duties etc. vide order of suspension pending enquiry dated 15/03/1997 and final orders dated 21.08.1997.

13. The Party II submitted that the workman was represented by Mr. Dulcidonio Fernandes at the enquiry. The Enquiry Officer after considering the evidence on record submitted his findings holding the Party I/Workman guilty of the charges. The Party II submitted that by letter dated 21.08.97, the Party I workman was informed that the management had perused the proceedings of the enquiry and the findings of the Enquiry Officer and that the enquiry had been conducted in accordance with the principles of natural justice and that the management concurred with the findings of the Enquiry Officer. The Party II submitted that the proved misconduct established at the enquiry warranted extreme punishment of dismissal of Party I/Workman from its service. The Party II submitted that a lenient view was taken in the matter and the Party I/Workman was let off with a lighter punishment by way of suspension from work of one day without wages and that the punishment of suspension was consequent to properly conducted enquiry and based on proved acts of misconduct committed by the workman.

14. The Party No. II submitted that the enquiry was fair and proper and was conducted in accordance with the principles of natural justice. The Party I was given every opportunity to defend himself and only after

appreciating the evidence on record, the Enquiry Officer gave a reasoned finding on the basis of which any prudent person would come to the conclusion that the Party I was guilty of the charges leveled against him. The Party II submitted that the suspension by way of punishment of Party I is pursuant to a charge-sheet and properly conducted enquiry by an impartial Enquiry Officer who has considered all the evidence on record and has submitted a reasoned findings and that the suspension by way of punishment of Party No. I/Workman is legal and justified.

15. The Party II submits that the suspension by way of punishment was consequent to properly conducted enquiry and based on proved acts of misconduct committed by the workman. The Party II submits that the enquiry was fair and proper and was conducted in accordance with the principles of natural justice. The Party I was given every opportunity to defend himself and only after appreciating the evidence on record the Party II considered the findings of the Enquiry Officer and concurred with the same. The Party II also considered the past records of the Party I and considering the gravity of proved misconducts, the management imposed a lighter punishment of suspension by way of punishment on the workman.

16. The Part II therefore submitted that the suspension by way of punishment of Party I is legal and justified. Party II specifically denied that there are any illegal changes in the service conditions or unjustified or unwarranted suspensions or charge-sheets issued to the workmen on false and fabricated charges or that there is refusal to negotiate in good faith as alleged. It is denied that there is commission of unfair labour practices. It is denied that the charge-sheet issued against the said workman was ex-facie illegal and untenable at law. It is denied that the management had predicted punitive action against the workman or that the said workman was not allowed to be defended by a person of his choice.

17. It is further denied that the Enquiry Officer erred in coming to the conclusion of guilt as alleged. It is also denied that the Enquiry Officer failed to appreciate the evidence of the workman or that he was biased. It is denied that the order of suspension by way of punishment was for collateral purpose or was solely to victimize the workman for his continued allegiance to the said union as alleged. It is denied that the suspension order was in violation of any unfair labour practices and that there was no evidence supporting the charges leveled to the said workman. It is denied that the punishment imposed on the said workman was grossly disproportionate to the charges leveled against him.

18. The Party II submitted that the action of the Company is fair, legal and proper and the Party I is not entitled to any reliefs as prayed for. The Party II further prays that the reference may please be rejected.

19. On completion of the pleadings, Issues were framed at Exhibit 10 by this Tribunal which reads as under:

#### ISSUES

1. *Whether the Party I proves that the domestic enquiry held against the workman Shri Dilbahadur Chhatri is fair and proper?*
2. *Whether the charges of misconduct levelled against the workman Shri Dilbahadur Chhatri are proved to the satisfaction of the Tribunal by acceptable evidence?*
3. *Whether the Party I proves that the punishment of one day suspension from work on 26.08.1997 without wages awarded to the workman Shri Dilbahadur Chhatri is by way of victimization and unfair labour practice?*
4. *Whether the Party I proves that the punishment of one day suspension from work on 26.8.97 without wages awarded to the workman Shri Dilbahadur Chhatri is illegal and unjustified?*
5. *Whether the workman Shri Dilbahdur Chhatri is entitled to any relief?*
6. *What Award?*

20. From the issues framed hereinabove, Issue No. 1 and 2 had been taken up to be tried as preliminary issues and accordingly the Order was passed on 04/10/2024 holding Issue No.1 and 2 in the affirmative. Thereafter, both the Parties to the proceeding led their evidence on the remaining issues and my findings to the same with reasons are as follows:

Issue No. 3, 4 & 5 : In the Negative.



## REASONS

21. *Issue No. 3, 4 and 5:* It is a matter of record that this Tribunal has passed an Order dated 04-10-2024 on Preliminary Issues No.1 and 2, holding Issue No.1 in the affirmative whereby it was held that the Inquiry Officer had conducted the inquiry in consonance with the principles of natural justice, hence the enquiry was held to be fair and proper. By the said Order dated 04-10-2024, this Tribunal was pleased to answer even the Issue No. 2 in the affirmative and concluded that the charges of misconduct levelled against the workman, Shri Dilbahadur Chattri were proved by legally acceptable evidence by analysing the evidence on record.

22. After passing the order on the preliminary issues, opportunity was given to both the parties to the present reference to adduce further evidence in support of Issue No.3, 4 and 5. However the evidence of Party I was closed, they having failed to lead any evidence on the remaining issues despite giving opportunity. The Party II choose not to lead any further evidence and the matter proceeded to hear final arguments on merits on all the remaining issues.

23. This Tribunal while deciding the Issue No.1 in favour of the Management/Party II held that the enquiry revealed that the Party I/Workman was given fair opportunity pursuant to which the witnesses on the either side were cross-examined by the Representative of the Management as well as by the Representative of the Workman. The enquiry was concluded by taking on record all the relevant and material evidence adduced by the Management witnesses as well as by the witnesses of the Party I/Workman. Accordingly, the Enquiry Officer gave its findings. Absolutely no evidence has been adduced to show that the enquiry was without following the principles of natural justice or that the same was against the Certified Standing Orders of the Party II.

24. The Tribunal while deciding the Issue No. 2 in favour of the Party II to appreciate the evidence put forth by the Management witness Mr. Tek Bahadur (MW5) in the enquiry proceedings concerning the alleged acts of misconduct by the Party I reveals that when he was on duty on 14.03.1997 in Shift I, a lorry came to the Gate and the driver of the lorry bearing No. KA-01-1747 requested him that he wanted to hand over the material to the Security. Thereafter, the driver parked the lorry at the Bus Parking Area and went to the Security Officer. He further stated that the driver came out, took a box to the Lorry Cabin and once again went inside the Gate.

25. The Tribunal further observed that the witnesses examined by the management to prove the alleged negligence on duty by the Party I/Workman has narrated the alleged incident of negligence which act according to the Management was a sheer act of negligence of duty on the part of the CSW because of which the box containing the nuts and bolts went out of the Gate unnoticed and thereafter the said box was returned back to Mr. R. G. Patil, the Security Officer in presence of the witnesses who have deposed against the Party I/Workman in the said domestic enquiry. Full opportunity was given to the Party I/Workman to defend himself in the enquiry proceedings in respect of the alleged charges. The Enquiry Officer on the basis of the evidence on record thereafter held Party I/Workman guilty of the charges. When the Management examined their witnesses, there was absolutely no cross-examination done on this aspect of the alleged charges on behalf of the Party I/Workman nor did the Party I/Workman examined any other witness on his behalf to disapprove the charges or to discard the evidence and to show that the conclusion/findings of the Enquiry Officer were perverse and contrary to the evidence on record.

26. The Party II contented that the Party I/Workman was suspended pending enquiry for commission of serious acts of misconduct while on duty involving negligence of work, failure to perform normal duties etc. vide order of suspension pending enquiry dated 15.03.1997 and final orders dated 21.08.1997. The allegation against the workman was that on duty on 13.03.97 in shift II, Party I failed to notice a box of Nuts/Bolts kept in the cabin of Lorry bearing registration No.KA-01-1747 which was to be unloaded in Stores as per delivery Challan No. 80 dated 11.03.97 sent by M/s. System Control Salam Madras and which went outside the Gate after Party I checked the lorry and was returned to the Security Office by the Lorry driver only on the next day after realizing that the same was not checked by Party I.

27. In the case of **State of Haryana v/s. Ratan Singh reported in 1977 (34) FLR 264**, it was held that : *“it is well settled that in a domestic enquiry the strict sophisticated rules of evidence under the Indian Evidence Act may not apply. All materials which are logically probative for a prudent mind are permissible. There is no allergy to hearsay evidence provided it has reasonable nexus and credibility. It is true that departmental authorities and administrative tribunals must be careful in evaluating such material and should not glibly swallow what is strictly speaking not relevant under the Indian Evidence Act. For this proposition it is not necessary to cite decisions nor text books, although we have been taken through case law and other*

authorities by counsel on both sides. The essence of a judicial approach is objectivity, exclusion of extraneous material or considerations and observance of rules of natural justice. Of course, fair play is the basis and if perversity or arbitrariness, bias or surrender of independence of judgment vitiate the conclusions reached, such finding, even though of a domestic tribunal, cannot be held good. However, the courts below misdirect themselves, perhaps, in insisting that passengers who had come in and gone out should be chased and brought before the tribunal before a valid finding could be recorded. The 'residuum' rule to which counsel for the respondent referred, based upon certain passages from American jurisprudence does not go to that extent nor does the passages from Halsbury insist on such rigid requirement. The simple point is, was there some evidence or was there no evidence not in the sense of the technical rules governing regular court proceedings but in a fair common sense way as men of understanding and worldly wisdom will accept. Viewed in this way, sufficiency of evidence in proof of the finding by a domestic tribunal is beyond scrutiny. Absence of any evidence in support of a finding is certainly available for the court to look into because it amounts to an error of law apparent on the record. We find, in this case, that the evidence of Chamanlal, Inspector of the flying squad, is some evidence which has relevance to the charge levelled against the respondent. Therefore, we are unable to hold that the order is invalid on that ground."

28. In the case of **Mahesh Pal Singh v. Superintending Engineer, Lower Chambal Circle & Ors. reported in 2001 (I) LLR 887** it was held that "It may, however, be noticed that it is by now well established that strict laws of evidence are not applicable to the departmental proceedings and the insistence on the observance of the rules of evidence by the disciplinary authorities, would rob the administrative law of its utility and the needed flexibility as it hinders or hampers them unduly in their task of weighing evidence and deciding on facts, besides resulting in the exclusion of much of the evidence of probative value. It may, however, be emphasized that the decision of the disciplinary authority must be based on material of some probative value which tends to logically show the existence of facts relevant to the issue to be determined. If the material relied upon by the disciplinary authority is capable of probative value, the weight to be attached to it is a matter for the said authority entrusted with the responsibility of deciding the issue. We are of the clear opinion that if the material relied upon is capable of having any probative value, the weight to be attached to it is a matter for the disciplinary authority entrusted with the responsibility of deciding the issue. It is the preponderance of probability that matters. In the matters regarding departmental proceedings, the expression to prove a charge has to be taken as distinguishable from the evidence which merely raises a suspicion. The proof has to be capable of scrutiny and should stand the test of reasonableness consistent with the normal conduct and probability. The rule followed in criminal trial that an offence is not established unless proved by evidence beyond reasonable doubt is not applicable to the departmental proceedings".

29. This Tribunal has duly considered the evidence on this incident and has given its findings on Issue No. 2 by coming to a conclusion that the Party II has proved the allegations in the said charge-sheet by means of acceptable evidence.

30. **Section 11 A of the Industrial Disputes Act, 1947** reads as under: **11-A. Powers of Labour Courts, Tribunals and National Tribunals to give appropriate relief in case of discharge or dismissal of workmen.—**Where an industrial dispute relating to the discharge or dismissal of a workman has been referred to a Labour Court, Tribunal or National Tribunal for adjudication and, in the course of the adjudication proceedings, the Labour Court, Tribunal or National Tribunal, as the case may be, is satisfied that the order of discharge or dismissal was not justified, it may, by its award, set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit, or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require.

31. In the case of **Mahindra and Mahindra v/s N. B. Narawade 2005 I CLR 803** the Court has observed that "Whether it is open to the Industrial Tribunal or the labour court or the High Court to interfere with the quantum of punishment is, no longer, *res integra*, as the question has been answered by this Court several times in its various decisions in *B.C. Chaturvedi Vs. Union of India* [1995(6) SCC 749] a three-Judge Bench of this Court held that that Section 11-A of the Industrial Disputes Act, 1947 confers power on the Industrial Tribunal/Labour Court to apply its mind on the question of proportion of punishment or penalty that this power is also available to the High Court under Article 226 of the Constitution, though it was qualified with a limitation that while seized as a writ court, interference is permissible only when the punishment/penalty is shockingly disproportionate."

32. Further, the Hon'ble Apex Court in the citation above was pleased to set aside the order of dismissal and directs the reinstatement passed by Division Bench, Single Judge of the High Court and that of the

*Labour Court and uphold the order of the disciplinary authority dismissing the respondent- workman from service.*

33. The relevant observation of the Hon'ble Apex Court in respect of Section 11-A in this Judgment reads "It is no doubt true that after introduction of Section 11-A in the Industrial Disputes Act, certain amount of discretion is vested with the labour court/Industrial Tribunal in interfering with the quantum of punishment awarded by the Management where the concerned workman is found guilty of misconduct. The said area of discretion has been very well defined by the various judgments of this Court referred to herein above and it is certainly not unlimited as has been observed by the Division Bench of the High Court. The discretion which can be exercised under Section 11-A is available only on the existence of certain factors like punishment being disproportionate to the gravity of misconduct so as to disturb the conscience of the court, or the existence of any mitigating circumstances which requires the reduction of the sentence, or the past conduct of the workman which may persuade the Labour Court to reduce the punishment. In the absence of any such factor existing, the Labour Court cannot by way of sympathy alone exercise the power under Section 11-A of the Act and reduce the punishment.

34. In this case, records reveal that the Party I was given fair opportunity to defend himself in the domestic enquiry against the charges leveled against him in the charge-sheet. Before this Tribunal also the Party I was given opportunity to enable him to discard the allegations in the charge-sheet which was said to be proved by the Enquiry Officer. The evidence on record reveals that the Management through their witnesses has produced sufficient evidence in support of the alleged incident of negligence by the Party I/Workman.

35. Therefore, considering the overall evidence on record as well as considering the acts of alleged misconduct as defined in the Certified Standing Orders coupled with the ratio laid in the judicial pronouncements as mentioned hereinabove, this Tribunal is of the opinion that the Party I has failed to prove that the action of the management of M/s. MRF Ltd Usgao, Ponda in awarding punishment of one day suspension from the work with on 26/08/1997 without wages is illegal and unjustified. As such, Party I is not entitled for any relief as claimed in the Statement of Claim, for the reasons hereinabove and the Issues No. 3, 4 and 5 taken together for discussion stands answered in the negative.

Hence the Order:

#### ORDER

- (i) The Order of one day suspension from work on 26/08/1997 without wages by way of punishment of Party I/Workman i.e. the deceased Mr. Dilbahadur Chhattri, ex-employee of M/s. MRF Limited, Tisk, Usgao, Ponda-Goa, is legal and justified
- (ii) The Legal Heirs of the deceased Workman, Mr. Dilbahadur Chhattri are not entitled for any relief.
- (iii) No order as to cost.
- (iv) Inform the Government accordingly.

Dated:- 05-08-2025.

Place:- Panaji-Goa.

*Vijayalaxmi R. Shivolkar,*  
Presiding Officer,  
Industrial Tribunal & Labour Court.

#### Department of Mines

Directorate of Mines and Geology

#### Order

01/53/2019/AG-PROMOTION/ADM/MINES/1665

Date : 20-Aug-2025

On the recommendation of the Departmental Promotion Committee as conveyed by Goa Public Service Commission (GPSC) vide letter No. COM/II/11/25(3)/2025/158 dated 11<sup>th</sup> August, 2025, the Government of Goa is pleased to promote following Junior Geologist to the post of Geologist on regular basis (Group "B")

Gazetted) in Pay Level 7 (Pre-revised Rs. 9300-34800, Level-7) in the Directorate of Mines & Geology with immediate effect.

- 1) Shri Shyam Vithal Sawant
- 2) Shri Suraj Kalgutkar, (PwD)

The above officers shall be on probation for a period of two years.

The expenditure on their pay and allowances shall be debited to the Budget Head as under:

Demand No. 83  
2853 – Non-Ferrous Mining and Metallurgical Industries;  
02 – Regulation and Development of Mines;  
001 – Direction & Administration;  
01 – Mines Development (NP);  
00 – General;  
01 – Salaries.

The above officers shall exercise option for fixation of their pay in terms of F.R 22(I) (a)(1) within a period of one month from the date of promotion. The option once exercised shall be final.

This order is issued with the approval of Government vide U. No. 5026/F dated 19/08/2025.

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

*Narayan Gad*, Director/ex-officio Joint Secretary.

Panaji.



### Department of Personnel

#### Order

7/17/2024-PER/1742

Date : 12-Apr-2024

In pursuance to Order No. 14016/12/2024.UTS-I dated 15/03/2024, issued by Government of India, Ministry of Home Affairs, New Delhi; the Governor of Goa is pleased to post Ms. Pallavi Mishra, IAS (Probationer) of AGMUT:2023 as Assistant Collector (Trainee) in the office of the District Collector, North Goa for district training with immediate effect.

Ms. Pallavi Mishra, IAS (Probationer) has reported to this administration on 10/04/2024 (a.n.).

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

*Eshant V. Sawant*, Under Secretary (Personnel-I).

Porvorim.



#### Order

7/17/2024-PER/1743

Date : 12-Apr-2024

In pursuance to Order No. 14016/12/2024.UTS-I dated 15/03/2024, issued by Government of India, Ministry of Home Affairs, New Delhi; the Governor of Goa is pleased to post Shri Chandrakant Bagoria, IAS (Probationer) of AGMUT:2023 as Assistant Collector (Trainee) in the office of the District Collector, South Goa for district training with immediate effect.

Shri Chandrakant Bagoria, IAS (Probationer) has reported to this administration on 10/04/2024 (b. n.).

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

*Eshant V. Sawant*, Under Secretary (Personnel-I).

Porvorim.

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**Order**

7/17/2022-PER/4934

Date : 19-Nov-2024

Shri Asvin Chandru A., IAS (AGMUT:2019), Director, Industries, Trade and Commerce, shall hold the charge of Chief Executive Officer, Entertainment Society of Goa, with immediate effect, during the leave period of Ms. Ankita Mishra, IAS.

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

*Eshant V. Sawant*, Under Secretary (Personnel-I).

Porvorim.

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**Order**

7/17/2022-PER/5291

Date : 24-Dec-2024

The Governor of Goa is pleased to relieve Ms. Swetika Sachan, IAS (AGMUT:2014), Secretary (Industries, Trade & Commerce) from this Administration w.e.f. 10/01/2025 (a.n.) to join her next posting in Delhi.

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

*Eshant V. Sawant*, Under Secretary (Personnel-I).

Porvorim.

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**Order**

7/17/2022-PER/186

Date : 16-Jan-2025

The Governor of Goa is pleased to appoint Shri Suneel Anchipaka, IAS (AGMUT:2014) and Shri Asvin Chandru A., IAS (AGMUT:2019) as Secretary to Government, with immediate effect.

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

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

Porvorim.

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**Order**

7/17/2022-PER/235

Date : 21-Jan-2025

The Governor of Goa is pleased to transfer and post Shri Amarsen W. Rane, IAS, Director, Civil Aviation as Director of Vigilance, with immediate effect.

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

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

Porvorim.

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**Order**

7/17/2022-PER/304

Date : 27-Jan-2025

Read:- Order No. 7/17/2022-PER/235 dated 21-01-2025.

Ms. Yashaswini B., IAS, shall continue to hold the charge of Director of Fisheries, until further orders.

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

Porvorim.

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**Order**

7/17/2022-PER/1595

Date : 29-May-2025

Shri Sandip Jacques, IAS (AGMUT:2009), Commissioner-cum-Secretary (Revenue) shall hold the charge of Chief Executive Officer and Managing Director, Imagine Panaji Smart City Development Ltd., in addition to his own duties, with immediate effect.

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

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

Porvorim.

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**Order**

7/27/2022-PER/1889

Date : 19-Jun-2025

Read:- 1. Order No. 15041/05/2023-UTS.I dated 12-09-2024.

2. Order No. 15041/05/2023-UTS.I dated 16-05-2025.

The Governor of Goa is pleased to relieve Shri Sanjit Rodrigues, IAS (AGMUT:2013), Secretary (Civil Supplies) from this Administration w.e.f. 20/06/2025 (a.n.) to join his next posting in Ladakh.

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

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

Porvorim.

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**Order**

7/17/2022-PER/1621

Date : 30-May-2025

The Governor of Goa is pleased to transfer and post Shri Ankit Yadav, IAS (AGMUT:2018), Managing Director, Goa Waste Management Corporation, as Collector, North Goa, with immediate effect.

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

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

Porvorim.

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**Order**

7/27/2022-PER/1898

Date : 20-Jun-2025

Read:- Order No. 15041/05/2023-UTS.I dated 16-05-2025.

The Governor of Goa is pleased to appoint Shri Sanjiv M. Gadkar, IAS (AGMUT:2013) and Shri Yetindra M. Maralkar, IAS (AGMUT:2013) as Secretary to Government, with immediate effect.

Shri Sanjiv M. Gadkar, IAS has joined the State Administration on 16/06/2025 (b.n.). Shri Yetindra M. Maralkar, IAS has joined the State Administration on 13/06/2025 (b.n.) after availing twelve days of joining time from 01/06/2025 to 12/06/2025.

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

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

Porvorim.

**Order**

7/17/2022-PER/1991

Date : 30-Jun-2025

Read:- Order No. 15041/05/2023-UTS.I dated 16/05/2025.

The Governor of Goa is pleased to relieve Shri Suneel Anchipaka, IAS (AGMUT:2014), Secretary (Industries, Trade & Commerce) from this Administration w.e.f. 30/06/2025 (a.n.) to join his next posting in Delhi.

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

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

Porvorim.

**Order**

7/13/2014-PER/2421

Date : 01-Aug-2025

Pursuant to Order (I) F. No. 46011/1/2019-IFS-I (AGMUT) dated 28-08-2024 of Ministry of Environment, Forest and Climate Change, Government of India, New Delhi, the Governor of Goa is pleased to relieve the following officers from this Administration w.e.f. 01/08/2025 (b.n.) to join their new place of posting.

| Sr. No. | Name and Batch of the Officer              | Designation  | Transferred to |
|---------|--|--|----------------|
| 1.      | Shri Nandakumar E. Parab, IFS (AGMUT:2018) | Deputy Conservator of Forests (Working Plan) holding additional charge of MD, GFDC | Puducherry     |
| 2.      | Shri Vishal V. Surve, IFS (AGMUT:2018)     | Dy. Conservator of Forests Social Forestry, Parks & Garden Division                | Ladakh         |

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

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

Porvorim.

**Order**

7/13/2014-PER/2535

Date : 14-Aug-2025

Shri K. Ramesh Kumar, IFS (AGMUT:2000), Additional Principal Chief Conservator of Forests & Chief Wildlife Warden shall hold charge of the post of Managing Director, Goa Forest Development Corporation Ltd., in addition to his own duties, with immediate effect.

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

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

Porvorim.

**Order**

7/35/2024-PER/2536

Date : 14-Aug-2025

Read:- 1. O.M. No. 6/31/2025-EO(MM-I) dated 08-08-2025.

2. Order No. 7/10/2018-PER/750 dated 07-04-2022.

In pursuance to approval, conveyed vide reference cited in the preamble, Ms. Cheshta Yadav, IAS (AGMUT:2014), Secretary (Tribal Welfare) shall hold the charge of Director of Census Operations/Director

of Citizen Registration, Goa in addition to her own duties, with immediate effect upto 31-12-2025 or till further orders, whichever is earlier.

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

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

Porvorim.

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**Order**

7/17/2022-PER/2552

Date : 19-Aug-2025

The Governor of Goa is pleased to post Shri Dabholkar Vasant Prasad, IAS (AGMUT:2023) as Deputy Collector & SDO-II, Bardez, with immediate effect.

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

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

Porvorim.

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**Order**

No. 5/19/2025-PER/2621

Date : 25-Aug-2025

Read:- Memorandum No. 5/19/2025-PER dated 30-05-2025.

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/I/5/42(2)/2023/38 dated 05/05/2025, the Governor of Goa is pleased to appoint the following candidates as Junior Scale Officers of Goa Civil Service, (Group “A” Gazetted) in Level 10 of the CCS (Revised Pay) Rules, 2016 with immediate effect:-

1) Shri Vipul Vilas Parsekar.

2) Ms. Sonia Rajan Sinai Kunkolienkar.

2. The above candidates have been declared medically fit by the Medical Board. Their character and antecedents have been verified.

3. The above candidates shall be on probation for a period of two years with effect from their date of joining, during which they shall undergo a departmental training and shall have to pass the Departmental Examination prescribed under the Rules. He/She shall submit their Annual Assessment Report during the probation period.

4. The pay and allowances of the above candidates shall be debited to the Budget Head controlled by the concerned Department wherever they are posted from time to time, or as per specific orders issued by Personnel Department.

5. The above candidates shall join their duties in the Personnel Department, within a period of fifteen days from the date of receipt of this order.

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

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

Porvorim.

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**Order**

7/27/2022-PER/3206

Date : 11-Sep-2024

Ms. Yashaswini B., IAS (AGMUT:2020), Director, Department of Information Technology, Electronics and Communications holding charge of Managing Director, Goa Information Technology Development Corporation, shall hold the charge of Director of Fisheries in addition to her own duties, with immediate effect.

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

*Eshant V. Sawant*, Under Secretary (Personnel-I).

Porvorim.



**Order**

7/27/2022-PER/3379

Date : 30-Sep-2024

Read:- Order No. 7/28/2024-PER/3377 dated 30-09-2024.

The Governor of Goa is pleased to order the transfer and posting of the following IAS Officer, with immediate effect:-

| Sr. No. | Name & Designation                  | Present posting  | Posted as   |
|---------|-------------------------------------|------------------|---|
| 1.      | Shri Mohd. Shabir, IAS (AGMUT:2022) | Awaiting posting | Deputy Collector & SDO-II, Salcete with additional charge of SLAO, KRC. |

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

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

Porvorim.

**Order**

7/27/2022-PER/4664

Date : 25-Oct-2024

The Governor of Goa is pleased to order the transfer and posting of the following IAS Officers, with immediate effect:-

| Sr. No. | Name & Designation                      | Present Posting                          | Posted as   |
|---------|---|--|---|
| 1.      | Shri Asvin Chandru A., IAS (AGMUT:2019) | Collector, South                         | 1. Director, Industries Trade and Commerce.<br>2. Chief Executive Officer, Goa Investment Promotion and Facilitation Board. |
| 2.      | Ms. Eгна Cleetus, IAS (AGMUT:2020)      | Director, Industries, Trade and Commerce | Collector, South  |

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

*Paresh Fal Dessai*, Joint Secretary (Personnel).

Porvorim.

**Order**

7/27/2022-PER/4665

Date : 25-Oct-2024

Shri Sarpreet Singh Gill, IAS (AGMUT:2009), Secretary (Tribal Welfare) shall hold the charge of Commissioner of Excise, in addition to his own duties, with immediate effect.

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

*Paresh Fal Dessai*, Joint Secretary (Personnel).

Porvorim.

**Order**

7/27/2022-PER/4709

Date : 30-Oct-2024

Read: Order No. 15041/06/2024-UTS-1 dated 30-10-2024.

The Governor of Goa is pleased to relieve Dr. Puneet Kumar Goel, IAS (AGMUT:1991), Chief Secretary from this Administration, with effect from 06/11/2024 (a.n.) for his next posting in Government of India.

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

*Eshant V. Sawant*, Under Secretary (Personnel-I).

Porvorim.

**Notification**

7/17/2022-PER/187

Date : 16-Jan-2025

Read:- 1. Notification No. 7/17/2022-PER/4036 dated 05-12-2022.

2. Notification No. 7/17/2022-PER/3388 dated 14-08-2023.

3. Notification No. 7/17/2022-PER/3687 dated 15-09-2023.

4. Notification No. 7/27/2022-PER/21 dated 03-01-2024.

5. Notification No. 7/27/2022-PER/2085 dated 24-05-2024.

6. Notification No. 7/27/2022-PER/3341 dated 25-09-2024.

7. Notification No. 7/27/2022-PER/4778 dated 06-11-2024.

In partial modification to the Notifications read in the preamble, the Governor of Goa is pleased to order allocation of work/Departments amongst the following Secretaries to the Government, with immediate effect:-

| Sr. No. | Name & Designation  | Departments   |
|---------|---|---|
| 1.      | Dr. V. Candavelou, IAS (1997)<br>Chief Secretary  | 1. Vigilance/Chief Vigilance Officer<br>2. Home<br>3. Personnel & ARD<br>4. Civil Aviation<br>5. Finance<br>6. Mines and Geology<br>7. Forest<br>8. PPP<br>9. PWD |
| 2.      | Shri Sanjay Goel, IAS (2004)<br>Commissioner-cum-Secretary<br>(Urban Development)       | 1. Urban Development<br>2. Panchayats<br>3. Rural Development<br>4. Transport<br>5. CEO, Goa CSR Authority  |
| 3.      | Shri Sarpreet Singh Gill, IAS (2009)<br>Commissioner-cum-Secretary<br>(Water Resources) | 1. Water Resources<br>2. Commissioner of State Taxes<br>3. Commissioner of Excise<br>4. Planning & Statistics   |

|    |   |   |
|----|---|---|
| 4. | Shri Arun Kumar Mishra, IAS (2012)<br>Secretary (Health)                      | 1. Health<br>2. Women & Child Development<br>3. Agriculture<br>4. Housing<br>5. Town & Country Planning<br>6. Environment   |
| 5. | Shri Suneel Anchipaka, IAS (2014)<br>Secretary (Industries, Trade & Commerce) | 1. Industries, Trade & Commerce<br>2. Handicrafts, Textile and Coir<br>3. Sports<br>4. Art & Culture  |
| 6. | Shri Asvin Chandru A., IAS (2019)<br>Secretary to Hon'ble Chief Minister      | 1. Secretary to Hon'ble Chief Minister<br>2. Director (Industries)<br>3. Chief Executive Officer, Goa Investment Promotion and Facilitation Board<br>4. Chief Executive Officer, Entertainment Society of Goa |

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

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

Porvorim.

#### Notification

7/27/2022-PER/1899

Date : 20-Jun-2025

- Read:- 1. Notification No. 7/27/2022-PER/21 dated 03-01-2024.  
2. Notification No. 7/27/2022-PER/4778 dated 06-11-2024.  
3. Notification No. 7/17/2022-PER/187 dated 16-01-2025.  
4. Notification No. 7/17/2022-PER/1620 dated 30-05-2025.  
5. Notification No. 7/27/2022-PER/1804 dated 13-06-2025.

In partial modification to the Notifications read in the preamble, the Governor of Goa is pleased to order allocation of work/Departments amongst the following Secretaries to the Government with effect from 20/06/2025 (a.n.):—

| Sr. No. | Name & Designation  | Departments  |
|---------|---|--|
| 1.      | Shri Sandip Jacques, IAS (2009)<br>Commissioner-cum-Secretary (Revenue) | 1. Revenue<br>2. Law & Judiciary and Legislative Affairs<br>3. Labour & Employment<br>4. CEO and Managing Director, Imagine Panaji Smart City Development Ltd.                 |
| 2.      | Shri Sanjiv M. Gadkar, IAS (2013)<br>Secretary (Protocol)               | 1. Protocol<br>2. Civil Supplies<br>3. Factories and Boilers<br>4. Secretary, Goa State Commission for Protection of Child Rights<br>5. Nodal Officer, India Energy Week, 2026 |

|    |   |   |
|----|---|---|
| 3. | Shri Yetindra M. Maralkar, IAS (2013)<br>Secretary (Co-operation) | 1. Co-operation<br>2. Printing & Stationery |
|----|---|---|

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

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

Porvorim.

#### Notification

7/17/2022-PER/2537

Date : 14-Aug-2025

Read:- ECI Notification No. 154/GOA/2025-P.Admn. dated 11-08-2025.

The Governor of Goa is pleased to transfer and post Shri Sanjay Goel, IAS (AGMUT:2004) as Chief Electoral Officer, Goa and Secretary (Elections), with immediate effect.

Shri Sanjay Goel, IAS stands relieved from all the charges presently held by him.

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

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

Porvorim.

#### Notification

7/17/2022-PER/2568

Date : 19-Aug-2025

Read:- 1. Notification No. 7/27/2022-PER/21 dated 03-01-2024.

2. Notification No. 7/27/2022-PER/4778 dated 06-11-2024.

3. Notification No. 7/17/2022-PER/187 dated 16-01-2025.

4. Notification No. 7/17/2022-PER/1620 dated 30-05-2025.

5. Notification No. 7/27/2022-PER/1899 dated 20-06-2025.

6. Notification No. 7/17/2022-PER/2031 dated 02-07-2025.

In partial modification to the Notifications read in the preamble, the Governor of Goa is pleased to order allocation of work/Departments amongst the following Secretaries to the Government, with immediate effect:-

| Sr. No. | Name & Designation  | Departments   |
|---------|---|---|
| 1.      | Shri Sarpreet Singh Gill, IAS (2009)<br>Commissioner-cum-Secretary<br>(Water Resources) | 1. Water Resources<br>2. General Administration<br>3. Information & Publicity<br>4. Social Welfare<br>5. Planning & Statistics<br>6. Commissioner of State Taxes<br>7. CEO, Goa CSR Authority |
| 2.      | Shri Arun Kumar Mishra, IAS (2012)<br>Secretary (Health)                                | 1. Health<br>2. Women & Child Development<br>3. Town & Country Planning<br>4. Environment   |

|    |   |   |
|----|---|---|
| 3. | Shri Sanjiv M. Gadkar, IAS (2013)<br>Secretary (Protocol)         | 1. Protocol<br>2. Civil Supplies<br>3. Factories and Boilers<br>4. Legal Metrology<br>5. Secretary, Goa State Commission for Protection of Child Rights<br>6. Nodal Officer, India Energy Week, 2026                                  |
| 4. | Shri Yetindra M. Maralkar, IAS (2013)<br>Secretary (Co-operation) | 1. Co-operation<br>2. Printing & Stationery<br>3. Urban Development<br>4. Transport<br>5. Nodal Officer SBM (U) and PMAY(U).  |
| 5. | Ms. Cheshta Yadav, IAS (2014)<br>Secretary (Tribal Welfare)       | 1. Tribal Welfare<br>2. Public Grievances<br>3. Ports<br>4. River Navigation<br>5. Panchayats<br>6. DG GIPARD   |
| 6. | Shri Asvin Chandru A., IAS (2019)<br>Secretary to Chief Minister  | 1. Secretary to Chief Minister<br>2. Housing<br>3. Director (Industries, Trade & Commerce)<br>4. Chief Executive Officer, Goa Investment Promotion and Facilitation Board<br>5. Chief Executive Officer, Entertainment Society of Goa |
| 7. | Shri Arjun Mohan, IAS (2019)<br>Secretary to Governor             | 1. Secretary to Governor<br>2. Agriculture<br>3. Rural Development<br>4. Nodal Officer SBM (R) & PMAY (R)   |

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

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

Porvorim.

#### Notification

7/17/2022-PER/3199

Date : 06-Sep-2024

Read:-

1. Notification No. 7/17/2022-PER/4036 dated 05-12-2022.
2. Notification No. 7/17/2022-PER/1100 dated 18-04-2023.
3. Notification No. 7/17/2022-PER/3388 dated 14-08-2023.
4. Notification No. 7/17/2022-PER/3687 dated 15-09-2023.
5. Notification No. 7/17/2022-PER/3821 dated 05-10-2023.
6. Notification No. 7/17/2022-PER/3912 dated 13-10-2023.
7. Corrigendum No. 7/17/2022-PER/4027 dated 23-10-2023.
8. Notification No. 7/17/2022-PER/4953 dated 06-12-2023.

9. Notification No. 7/27/2022-PER/21 dated 03-01-2024.  
 10. Notification No. 7/17/2022-PER/413 dated 02-02-2024.  
 11. Notification No. 7/27/2022-PER/1939 dated 13-05-2024.  
 12. Notification No. 7/27/2022-PER/2085 dated 24-05-2024.

In partial modification to the Notifications read in the preamble, the Governor of Goa is pleased to order allocation of work/Departments amongst the following Secretaries to the Government, with immediate effect:-

| Sr. No. | Name & Designation   | Departments  |
|---------|--|--|
| 1.      | Dr. V. Candavelou, IAS (1997)<br>Principal Secretary to Chief Minister                 | 1. Principal Secretary to Chief Minister<br>2. Finance<br>3. Mines and Geology<br>4. Planning & Statistics<br>5. PPP   |
| 2.      | Shri Sanjay Goel, IAS (2004)<br>Commissioner-cum-Secretary<br>(General Administration) | 1. General Administration<br>2. Panchayats<br>3. Urban Development<br>4. Rural Development<br>5. Science, Technology and Waste Management<br>6. Nodal Officer SBM(U) and PMAY(U)<br>7. Nodal Officer SBM (R) & PMAY (R)<br>8. CEO, Goa CSR Authority<br>9. DG GIPARD |
| 3.      | Shri Sarpreet Singh Gill, IAS (2009)<br>Secretary (Tribal Welfare)                     | 1. Tribal Welfare<br>2. Public Grievances<br>3. Ports<br>4. River Navigation<br>5. Commissioner, State Taxes   |
| 4.      | Shri Prasad Lolayekar, IAS (2014)<br>Secretary (Education)                             | 1. Education<br>2. Skill Development & Entrepreneurship<br>3. Archaeology<br>4. Archives<br>5. Museum<br>6. Goa Gazetteer<br>7. Official Language  |

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

*Eshant V. Sawant*, Under Secretary (Personnel-I).

Porvorim.

#### Notification

7/27/2022-PER/3341

Date : 25-Sep-2024

- Read:- 1. Notification No. 7/17/2022-PER/4036 dated 05-12-2022.  
 2. Notification No. 7/17/2022-PER/1100 dated 18-04-2023.  
 3. Notification No. 7/17/2022-PER/3388 dated 14-08-2023.  
 4. Notification No. 7/17/2022-PER/3687 dated 15-09-2023.

5. Notification No. 7/17/2022-PER/3912 dated 13-10-2023.
6. Corrigendum No. 7/17/2022-PER/4027 dated 23-10-2023.
7. Notification No. 7/27/2022-PER/21 dated 03-01-2024.
8. Notification No. 7/17/2022-PER/413 dated 02-02-2024.
9. Notification No. 7/27/2022-PER/2085 dated 24-05-2024.
10. Notification No. 7/17/2022-PER/3199 dated 06-09-2024.

In partial modification to the Notifications read in the preamble, the Governor of Goa is pleased to order allocation of work/Departments to the below mentioned Secretary to Government, with immediate effect:-

| Sr. No. | Name & Designation                                      | Departments   |
|---------|---|---|
| 1.      | Shri. Ramesh Verma, IAS (2009)<br>Secretary (Elections) | 1. Secretary (Elections)<br>2. Chief Electoral Officer<br>3. General Administration<br>4. Information & Publicity<br>5. Legal Metrology |

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

*Eshant V. Sawant*, Under Secretary (Personnel-I).

Porvorim.

#### Notification

7/27/2022-PER/3376

Date : 30-Sep-2024

- Read:-
1. Notification No. 7/17/2022-PER/4036 dated 05-12-2022.
  2. Notification No. 7/17/2022-PER/3388 dated 14-08-2023.
  3. Notification No. 7/17/2022-PER/3687 dated 15-09-2023.
  4. Notification No. 7/17/2022-PER/3912 dated 13-10-2023.
  5. Corrigendum No. 7/17/2022-PER/4027 dated 23-10-2023.
  6. Notification No. 7/27/2022-PER/21 dated 03-01-2024.
  7. Notification No. 7/17/2022-PER/413 dated 02-02-2024.
  8. Notification No. 7/27/2022-PER/2085 dated 24-05-2024.
  9. Notification No. 7/17/2022-PER/3199 dated 06-09-2024.

In partial modification to the Notifications read in the preamble, the Governor of Goa is pleased to order allocation of work/Departments amongst the following Secretaries to the Government, with effect from 01/10/2024:-

| Sr. No. | Name & Designation   | Departments  |
|---------|--|--|
| 1.      | Dr. V. Candavelou, IAS (1997)<br>Principal Secretary to Chief Minister | 1. Principal Secretary to Chief Minister<br>2. Finance<br>3. Mines and Geology<br>4. Planning & Statistics<br>5. PPP<br>6. DG GIPARD |

|    |  |   |
|----|--|---|
| 2. | Shri Sanjay Goel, IAS (2004)<br>Commissioner-cum-Secretary<br>(Panchayats) | 1. Panchayats<br>2. Urban Development<br>3. Rural Development<br>4. Transport<br>5. Science, Technology and Waste Management<br>6. Nodal Officer SBM(U) and PMAY(U)<br>7. Nodal Officer SBM (R) & PMAY (R)<br>8. CEO, Goa CSR Authority |
| 3. | Shri Sarpreet Singh Gill, IAS (2009)<br>Secretary (Tribal Welfare)         | 1. Tribal Welfare<br>2. Water Resources<br>3. Public Grievances<br>4. Ports<br>5. River Navigation<br>6. Commissioner, State Taxes  |
| 4. | Shri Arun Kumar Mishra, IAS (2012)<br>Secretary (Environment)              | 1. Environment<br>2. Health<br>3. Women & Child Development<br>4. Agriculture<br>5. Housing   |

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

*Eshant V. Sawant*, Under Secretary (Personnel-I).

Porvorim.



### Department of Town and Country Planning

#### Notification

36/18/39A/Notification(8F)/TCP/2025/423

Date : 26-Aug-2025

Whereas, the Town and Country Planning Department of the Government of Goa received applications under sub-section (1) of Section 39A of the Goa Town and Country Planning Act, 1974 (Act 21 of 1975) for change of zones in the Regional Plan for Goa 2021 in respect of the plots of land as specified in detail in column Nos. (2) to (7) of the Table below (hereinafter referred to as “the said Proposals”);

TABLE

| Sr. No. | Name of the Applicant      | Survey No./Sub Division No./P.T. Sheet No./Chalta No. | Name of Village and Taluka | Published land use as per RPG-2021/ODP (Total Area) in m <sup>2</sup> | Proposed land use | Area proposed in sq. mts. | Decision of the Government  |
|---------|----------------------------|---|----------------------------|---|-------------------|---------------------------|-----------------------------|
| (1)     | (2)                        | (3)   | (4)                        | (5)   | (6)               | (7)                       | (8)                         |
| 1.      | Bandenawaz Raajesaab Nadaf | 236/1 Plot No. 77                                     | Usgao, Ponda               | Natural Cover<br>Total Area<br>(196.5)                                | Settlement        | 196.5                     | Approved for change of zone |
| 2.      | Mahesh S. Koli             | 236/1-O   | Usgao, Ponda               | Natural Cover<br>Total Area<br>(210)                                  | Settlement        | 210                       | Approved for change of zone |
| 3.      | Sanjay Sitaram Desai       | 236/1 Plot No. 178                                    | Usgao, Ponda               | Natural Cover<br>Total Area<br>(210)                                  | Settlement        | 210                       | Approved for change of zone |



|     |   |                        |                |  |            |       |   |
|-----|---|------------------------|----------------|--|------------|-------|---|
| 4.  | Manjunath Yallapa Borkar  | 236/1 Plot No. 61-62-A | Usgao, Ponda   | Natural Cover<br>Total Area<br>(140)   | Settlement | 140   | Approved for<br>change of zone  |
| 5.  | Suresh Ramchandra Joshilkar   | 236/1 Plot No. 72-A    | Usgao, Ponda   | Natural Cover<br>Total Area<br>(112.5)   | Settlement | 112.5 | Approved for<br>change of zone  |
| 6.  | Hari Bala Vitekar   | 236/1 Plot No. 140     | Usgao, Ponda   | Natural Cover<br>Total Area<br>(210)   | Settlement | 210   | Approved for<br>change of zone  |
| 7.  | Pandurang Ramesh Kerkar & Ajit Gajanan Halankar   | 236/1 Plot No. 139     | Usgao, Ponda   | Natural Cover<br>Total Area<br>(236)   | Settlement | 236   | Approved for<br>change of zone  |
| 8.  | Kamakappa M. Kouder   | 236/1-AW               | Usgao, Ponda   | Natural Cover<br>Total Area<br>(225)   | Settlement | 225   | Approved for<br>change of zone  |
| 9.  | Mahendra K. Kawle   | 236/1-AM               | Usgao, Ponda   | Natural Cover<br>Total Area<br>(237)   | Settlement | 237   | Approved for<br>change of zone  |
| 10. | Ballappa M. Shingadi  | 236/1 (Plot No. 90-B)  | Usgao, Ponda   | Natural Cover<br>Total Area<br>(105)   | Settlement | 105   | Approved for<br>change of zone  |
| 11. | Ashapakalli Tashildar   | 236/1-Z                | Usgao, Ponda   | Natural Cover<br>Total Area<br>(210)   | Settlement | 210   | Approved for<br>change of zone  |
| 12. | Premanand Mahadev Desai   | 236/1-V                | Usgao, Ponda   | Natural Cover<br>Total Area<br>(210)   | Settlement | 210   | Approved for<br>change of zone  |
| 13. | Rafik Tashildar   | 236/1-X                | Usgao, Ponda   | Natural Cover<br>Total Area<br>(210)   | Settlement | 210   | Approved for<br>change of zone  |
| 14. | M/s Gangareddy Infra Pvt. Ltd. Varchavada, near Yuvraj Singh Villa                      | 10/1-G                 | Morjim, Pernem | Orchard<br>Total Area<br>(4067)  | Settlement | 4067  | Approved for<br>change of zone  |
| 15. | M/s Gangareddy Infra Pvt. Ltd. Varchavada, near Yuvraj Singh Villa, Morjim, Pernem, Goa | 12/1-A-1               | Morjim, Pernem | Partly Orchard<br>(2510m <sup>2</sup> ),<br>Partly Orchard<br>with No<br>Development<br>Slope<br>(1500m <sup>2</sup> )<br>Total Area<br>(4010) | Settlement | 4010  | Approved for<br>change of zone<br>being within<br>permissible<br>gradient |
| 16. | M/s Gangareddy Infra Pvt. Ltd. Varchavada, near Yuvraj Singh Villa, Morjim, Pernem, Goa | 12/1-A-2               | Morjim, Pernem | Partly Orchard<br>(2810m <sup>2</sup> ),<br>Partly Orchard<br>with No<br>Development<br>Slope<br>(1200m <sup>2</sup> )<br>Total Area<br>(4010) | Settlement | 4010  | Approved for<br>change of zone<br>being within<br>permissible<br>gradient |

|     |                                |               |                   |  |  |      |  |
|-----|--------------------------------|---------------|-------------------|--|--|------|--|
| 17. | Suresh Ganapati Kamat          | 304/0 (Part)  | Loutolim, Salcete | Partly Natural Cover (22117m <sup>2</sup> ), Partly Natural Cover with No Development Slope (17283m <sup>2</sup> )<br>Total Area (39400) | Natural Cover (2954m <sup>2</sup> ) & Natural Cover with No Development Slope (1046m <sup>2</sup> ) to Industrial Zone | 4000 | Approved for change of zone from Partly Natural Cover (2954m <sup>2</sup> ) & Partly Natural Cover with No Development Slope (1046m <sup>2</sup> ) to Industrial Zone being within permissible gradient. |
| 18. | Vismay Banudassa Porobo Dessai | 388/16 (Part) | Cola, Canacona    | Partly Settlement (2,905 m <sup>2</sup> ), Partly Natural Cover (866 m <sup>2</sup> ), Partly Orchard                                    | Natural Cover  | 1318 | Approved for change of zone an area of 1318m <sup>2</sup> from Natural Cover with No Development Slope to  |
|     |                                |               |                   | (12 m <sup>2</sup> ), Partly Natural Cover with No Development Slope (5,342 m <sup>2</sup> )<br><br>Total Area (9125)                    |  |      | Natural Cover being within permissible gradient.   |

And whereas, in terms of sub-rule (1) of Rule 4 of the Goa Town and Country Planning (Change of zone of land in the Regional Plan or the Outline Development Plan) Rules, 2024 (hereinafter referred to as the “said Rules”), the Town and Country Planning Department after scrutinizing the said proposals placed such proposals alongwith its scrutiny reports before the Goa Town and Country Planning Board for its recommendations/approval/decision;

And whereas, the Goa Town and Country Planning Board approved the said proposals as specified in column No. 8 of the above Table;

And whereas, notices as required by sub-rule (2) of Rule 4 of the said Rules were published,—

- (i) Vide Notification No. 36/18/39A/Notification (3R)/TCP/2024/43 dated 12/11/2024, published in the Official Gazette, Series III No. 33 dated 14-11-2024 (as regards proposals at Sr. Nos. 1, 2, 3, 4, 5, 6 & 7);
- (ii) Vide Notification No. 36/18/39A/Notification(1R)/TCP/2024/36 dated 05-11-2024, published in the Official Gazette, Series III No. 32 dated 07-11-2024 (as regards proposals at Sr. Nos. 8, 9, 10, 11, 12 & 13);
- (iii) Vide Notification No. 36/18/39A/Notification (18)/TCP/2025/88 dated 04-03-2025, published in the Official Gazette, Series III No. 49 dated 06-03-2025 (as regards proposals at Sr. Nos. 14, 15, 16 & 17);
- (iv) Vide Notification No. 36/18/39A/Notification(16)/TCP/2025/78 dated 21/01/2025, published in the Official Gazette, Series III No. 43 dated 23-01-2025 (as regards proposals at Sr. Nos. 18) and

suggestions were invited from the public within a period of thirty days from the date of publication to the said Notifications in the Official Gazette.

And whereas, suggestions received from public were placed before the Goa Town and Country Planning Board in terms of sub-rules (3) of Rule 4 for its recommendation/approval and the Goa Town and Country Planning Board after due consideration of the suggestions received from the public recommended the proposals for change of zone as regards to Sr. No. 1, 2, 3, 4, 5 & 7 in its meeting 211<sup>th</sup> Meeting held on 15-01-2025, Sr. No. 6 in its 212<sup>th</sup> meeting held on 03-02-2025, Sr. No. 8, 9, 10, 11, 12 & 13 in its 209<sup>th</sup> meeting held on 12-12-2024, Sr. No. 14, 15, 16, 17 & 18 in its 215<sup>th</sup> Meeting held on 04-06-2025 and directed to take further action as per sub-rule (4) of Rule 4 of the said Rules;

And whereas, as required by sub-rule (4) of Rule 4 of the said Rules, the recommendation/approval/decision of the Goa Town and Country Planning Board along with the said proposals were placed before the Government for its decision and the Government has approved the same;

Now, therefore, in view of the recommendation of the Goa Town and Country Planning Board being approved by the Government and in exercise of the powers conferred by Section 39A of the Goa Town and Country Planning Act, 1974 (Act 21 of 1975) read with sub-rule (5) of Rule 4 of the Goa Town and Country Planning (Change of zone of land in the Regional Plan or the Outline Development Plan) Rules, 2024, the Regional Plan and the Outline Development Plan is hereby altered and modified as specified in column No. (8) of above Table and as directed by the Government for carrying out change of zone of land in respect of the plots of land as specified in detail in column Nos. (2) to (7) of above Table.

The alteration and modification of the Regional Plan and the Outline Development Plan as notified in this Notification shall be subject to the outcome of the PIL Writ Petition Nos. 53 of 2024 and 54 of 2024 which are pending final disposal before the Hon'ble High Court of Bombay at Goa.

*Vertika Dagur*, Chief Town Planner (Planning).

Panaji.