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SERIES II No. 42

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY



GOVERNMENT OF GOA

Department of Home

Home-General Division

Order

No. 19/2/2025-HD(G)/43

Date : 08-Jan-2026

In compliance of the instructions issued by the Ministry of Home Affairs, IS-II Division, Government of India vide Order No. 1-12023/02/2017-NCB-II(Vol-1) dated 25-03-2022, the Government of Goa hereby constitutes an “Anti-Narcotics Task Force” (ANTF) to improve co-ordination among various stakeholders in policy matters as well as to strengthen mechanism to tackle drug trafficking in State for prevention of illegal drug trade.

The composition of Anti-Narcotics Task Force is as follows:

1. Inspector General of Police, Goa Police
2. Superintendent of Police (ANC)
3. Superintendent of Police (North)
4. Superintendent of Police (South)
5. Superintendent of Police (Kushavati)
6. Superintendent of Police (Crime)
7. Superintendent of Police (Konkan Railway)
8. Superintendent of Police (Coastal)
9. Superintendent of Police (ATS)

The Anti-Narcotics Task Force (ANTF) shall be headed by Inspector General of Police, Goa Police under the supervision of Director General of Police, Goa.

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

Manthan Manoj Naik, Under Secretary (Home-I).

Porvorim.

Department of Labour**Order**

No. 28/62/2025-LAB/37

Date : 08-Jan-2026

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

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

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

SCHEDULE

1. Whether the action of the management of M/s. Marksans Pharma Limited, Plot No. L-82, L-83, Verna, Salcete-Goa in dismissing Shri Manoj Swain, CVC Machine Operator, w.e.f. 11/11/2024 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.

Order

No. 28/63/2025-LAB/38

Date : 08-Jan-2026

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

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

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

SCHEDULE

1. Whether the action of the management of M/s. Marksans Pharma Limited, Plot No. L-82, L-83, Verna, Salcete-Goa in dismissing Shri Sarvesh Kotharkar, CVC Machine Operator, w.e.f. 22-11-2024 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.

Notification

No. 28/02/2025-LAB/Part-VI/28

Date : 05-Jan-2026

The following Award passed by the Labour Court-II, at Panaji-Goa on 10-11-2025 in Case Ref. No. LC-II/IT/22/2013 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 LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI**

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

Case No. Ref. LC-II/IT/22/2013

Shri Kamalakar Gadkar,
R/o Sakhu Bhatt,
Per-Seraulim, P.O. Colva,
Salcete-Goa.

..... Workman/Party-I.

V/s

M/s. Kadamba Transport Corporation Ltd.,
Paraisio de Goa,
Alto-Porvorim, Goa.

..... Employer/Party-II.

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

Employer /Party-II represented by Ld. Adv. Shri P. Agarwal.

Panaji; Dated: 10-11-2025

AWARD

1. 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, by Order dated 04-07-2013, bearing No. 28/26/2013-Lab/455 referred the following dispute for adjudication to the Industrial Tribunal of Goa. The Hon'ble Presiding Officer, Industrial Tribunal-cum-Labour Court in turn assigned the present dispute to this Labour Court-II of Goa for its adjudication, vide her order dated 08-07-2013.

“(1) Whether the action of M/s. Kadamba Transport Corporation Limited, Alto-Porvorim, Goa, in dismissing from service Shri. Kamalakar Gadkar, Driver vide its dismissed order No. KTC/PERS/4(1717)-2012-2013/558 dated 12-06-2012, is legal and justified?

(2) If not, what relief the Workperson is entitled to?”

2. On receipt of the reference, a Case was registered under No. LC-II/IT/22/13 and registered A/D notice was issued to the Parties. In pursuance to the said notice, the Parties put in their appearance. The Workman/Party-I (for short 'Workman') filed his Statement of Claim on 07-10-2013 at Exb. 3. The facts of the case, in brief as pleaded by the Workman are that the Employer /Party-II (for short Employer) is a Corporation which is wholly owned Govt. of Goa enterprise. He stated that he was a permanent employee of the Corporation as defined in Clause-3 (a) of the Certified Standing Order of the Corporation, being employed as 'driver' and worked for last over 25 years. He stated that he was last employed at Margao depot of the Employer Corporation before a purported dismissal order dated 12-06-2012, where by his services have been illegally terminated.

3. He stated that on 07-06-2010, all the drivers and conductors employed at Margao depot of the Employer Corporation were perturbed over the issue of suddenly change of schedule of duty roster, whereby the drivers and conductors had to perform double night out schedule. He stated that since this change was effecting all the drivers and conductors numbering over 400, all had gone to see the Depot Manager in his cabin at Margao depot. He stated that as the cabin was not able to accommodate such huge number of drivers and conductors, most of them were waiting outside the cabin of the Depot Manager, as there was no chance of himself and many others to enter the cabin, as the cabin was already full with several agitated drivers and conductor shaving entered the cabin of the Depot Manager. He stated that he only entered when he was called in for discussions.

He stated that after the discussion and agitation by over 400 drivers and conductors at Margao Depot on 07-06-2010, the Managing Director of the Corporation issued a circular dated 15-06-2010 which confirmed the agitation by drivers and conductors who even resorted to protest the change in duty schedule by way of abandoning their duty by such affected conductors and drivers on account of which there were cancellation of nearly 31 schedules. He stated that since the issue of change of duty schedule was not settled immediately, drivers and conductors were disturbed and were in agitating mode for change of duty schedule, were reluctant to carry out duty as per changed schedule.

4. He stated that in the same situation on 28-10-2010, when Shri. Pramod Gaonkar, Dy. General Manager (Traffic) as well one of the notified Disciplinary Authority of the Corporation visited Margao Depot, who wanted to access the working conditions of drivers and conductors, agitated drivers and conductors numbering over 400 rushed to Shri. Pramod Gaonkar, Dy. General Manager (Traffic) and started arguing with him over extra trips, extra duty hours allotted to drivers and conductors over and above the duty attached to interstate routes/schedules. He stated that since it was over crowded in the cabin, all the drivers and conductors being large number, were unable to enter the cabin to explain their difficulties, therefore all the drivers, present outside the cabin decided to send one driver as their representative to explain the Dy. General Manager (Traffic) the difficulties faced by the drivers.

5. He stated that accordingly, this Workman was asked by the drivers numbering around 200 to go Dy. General Manager (Traffic) to explain the difficulties faced by them. He stated that however, when the Workman went inside the cabin to discuss the difficulties faced by them, he did not met the favor of the Dy. General Manager (Traffic), who refused to discuss or hear the grievances of the drivers being presented by the Workman. He stated that Shri Pramod Gaonkar Dy. General Manager (Traffic) refused to allow the Workman to participate in the discussions and refused to entertain the Workman to explain and submit the difficulties/ grievances faced by Drivers working at Margao depot. He stated that the contrary to the above factual position and what transcribed at the Margao depot, he was framed by or under the active participation and/or with the convenience of the other supervisory staff by the said Shri Pramod Gaonkar Dy. General Manager (Traffic) and one of the Disciplinary Authority in the Corporation and the Workman was placed under suspension on the very next date of incident on 28-10-2010, with frivolous allegation against this lone Workman vide suspension order dt. 29-10-2010. He stated that since the said issue of interstate conductors and drivers were not solved, drivers numbering about 200 submitted a joint memorandum dated 02-11-2010 to the Chairman as well as Managing Director of the Corporation. He stated that the drivers conveyed the Chairman as well as Managing Director of the Corporation factual position and what actually transcribed at Margao depot on 28-10-2010, when Shri Pramod Gaonkar, Dy. General Manager (Traffic). He stated that drivers in their duly signed Joint Memorandum addressed to the Chairman as well the Managing Director of the Corporation demanded to the highly placed authorities in the corporation to do justice and withdraw the suspension order issued to him. He stated that the management without paying any heed to the said memorandum submitted by drivers, he was thereafter issued a charge-sheet dated 02-11-2010. He stated that he replied to the said charge-sheet promptly by denying all the allegations and charges levelled against him by his reply dt. 20-11-2010.

6. He stated that the management thereafter ordered an enquiry against him, vide order dated 09-12-2010. He stated that subsequently, by another order dt. 15-12-2010 his suspension was revoked. He stated that however, a farce of enquiry was conducted against him. He stated that on completion of the enquiry, a show-cause notice dated 12-04-2012 was issued to him proposing punishment of dismissal from the services of the corporation. He stated that he filed his detailed and elaborate reply to the aforesaid show-cause by his reply dt. 28-05-2012, pointing out very clearly and specifically all the lacunas and drawback in the enquiry conducted by the Ld. Enquiry Officer and also perversity of the findings recorded by the Ld. Enquiry

Officer. He stated that the disciplinary authority totally failed and /or neglected his submissions made in reply to the show-cause notice referred to above and with a prejudicial a borrowed mind passed an order dt. 12-06-2013 where by, which he was dismissed from the service of the Corporation with immediate effect.

7. He stated that against the order of dismissal, he filed an appeal before the Appellate Authority of the Corporation, by his memo of appeal dated 05-07-2012 bringing to the notice of the Appellate Authority glaring contradiction in the evidence of the management and biased attitude against him. He stated that unfortunately the Appellate Authority failed and/or neglected to look into his grievances and passed an order in a mechanical way, rejecting his appeal. He stated that the dismissal order dt.12-06-2012 issued by the Dy. Finance Controller (C & B) as disciplinary authority, under the circumstances which clearly shows total bias against him from the time the charge-sheet dt. 02-11-2010 was issued to him, at the behest of a person, who, at relevant time was also one of the Disciplinary Authority of the Corporation, at whose instant the whole farce of holding the disciplinary Enquiry has been conducted. He stated that the Dy. Financial Controller (C & B) as Disciplinary Authority has without consideration and without giving his reasoning for not accepting the submissions made by him in his reply to the show cause notice issued to him, proposing the punishment of dismissal has passed the dismissal order, which order as passed by the disciplinary authority is mechanical in nature and without giving any reasoning, as to why he found explanation. He stated that the statement in the report submitted by Shri Pramod Gaonkar, Dy. G.M. and Traffic, and MW-1 at the enquiry clearly establishes that he had a personal stake in the matter as his recommendations, to take stern disciplinary action against him were accepted by the Managing Director of the Corporation and an action, as proposed by said Shri Pramod Gaonkar has been taken. He stated that therefore, the whole action of the disciplinary action is vitiated in law for the violations of principles of natural justice, as held by Hon'ble Supreme Court of India from time to time. He stated that the existence of an element of bias as above, renders the entire disciplinary proceedings void, as Shri Pramod Gaonkar, Dy. G.M. Traffic, has acted as a star witness in the said Disciplinary Enquiry. He stated that further in his cross examination before the enquiry office, he admitted that the said Enquiry Officer is subordinate to him and that he can overrule the decisions given by the Ld. Enquiry officer. He stated that thus putting indirect pressure of Ld. Enquiry Officer to give findings favorable to the disciplinary authority. He stated that the Dy. Financial Controller (C&B) as disciplinary authority, has also stated in the dismissal order that, he perused the past performance and his service records of this appellant, to arrive at the present decision of awarding the punishment of the dismissal of the corporation and this establishes that the disciplinary authority have relied on his past conduct for considering the proportionality of the punishment, though past records is not the part of the original Charge-sheet nor he was informed that his past conduct was likely to be considered at the time of passing the order of punishment. Thus, the order of dismissal, as passed by the dismissal authority vitiated, rendering the entire disciplinary proceeding void in law. He stated that though the charge-sheet issued to him the names of other employees namely Narendra Lolienkar and Shri Prabhakar Gaonkar, conductors and also media persons, forcefully entered in the cabin of ATS, none of the above two workers were either issued any memo nor they were issued charge-sheet but only he was targeted and framed and that he was the only person singledout to be declared a culprit and was victimized him. He submitted that in respect of the alleged incident 07-06-2010 also though there are allegations, that he instigated other crew members, the management has failed to examine a single crew member from amongst crew present there, as alleged to establish management allegation in this regard. He submitted that the facts stated by each witness in their oral evidence before the Ld. Enquiry Officer also defers. He submitted that the Ld. Enquiry Officer miserably failed to appreciate and analyze the evidence on record with an impartial mind, thereby rendering the findings of the Ld. Enquiry Officer are perverse to that effect. He submitted that surprisingly and most importantly that all the three witnesses examined at the inquiry by the Management and also the Ld. Enquiry Officer have relied heavily on press reports as proof in support of charges and that management has not examined any single independent witness nor examined a single press reporter to establish the facts, as to who brought press people in the depot of the corporation. He submitted that the dismissal order dt. 12-06-2012 issued by the Dy. Financial Controller (C & B) as disciplinary authority is illegal, unjustified as the same is passed without any reasonable cause and for no misconduct committed by him. He stated that the finding of the Ld. I.O. which forms the bases for ordering his dismissal are not based on evidence on record and are very much perverse. He submitted that the findings are in the nature of speculations and surmises and are not based on the assessment of the evidence recorded before the Ld. Enquiry Officer. He submitted that the Ld. Enquiry Officer did not consider the material contradictions in the evidence of management witness. He submitted that Ld. Enquiry Officer ought to have come to the reasonable conclusion that the

management has not proved the charges levelled against him. He submitted that the departmental Enquiry held by the Ld. Enquiry Officer is illegal, being violations of the principles of natural justice and fair play. He submitted that he raised an industrial dispute before the Employer demanding his reinstatement in services with full back wages and continuity of services. He submitted that he sought the intervention of the DLC, Margao which ended in failure. He submitted that he has not committed any misconduct as alleged in the charge-sheet or otherwise. He submitted that the departmental Enquiry held against him is also illegal and the findings of the Ld. Enquiry Officer are perverse. He submitted that the dismissal order dt.12-06-2012 passed by the Dy. Financial Controller (C&B) as disciplinary authority is illegal, unjustified and non-est. He therefore challenged the said order.

8. He contended that the action of Dy. Financial Controller (C&B) as disciplinary Authority, of the Employer, in dismissing the Workman from services is illegal and unjustified. He submitted that the action of the Dy. Financial Controller (C&B) as disciplinary Authority, of the Employer, is without jurisdiction and or in access of the jurisdiction. He submitted that the services of the Workman have been terminated without any justifiable reason and for misconduct committed by him. He stated that the Charge-sheet was signed and issued to the Workman by the Dy. Financial Controller (C & B) as disciplinary Authority of the Employer, who is lower in rank to the appointing authority of the Workman. The order of Dismissal is also signed by the Dy. Financial Controller (C&B) as disciplinary authority of the Employer. He submitted that the order of dismissal and all other proceedings are, therefore, without authority and are therefore null and void. He submitted that the Ld. Enquiry Officer was biased in favour of the management and against the Workman, which is evident from the records of the enquiry proceedings. He submitted that the Departmental enquiry was held in violation of the principles of natural justice and well established cannons of principles of industrial law. He submitted that the Ld. Enquiry Officer failed to show the impartial and has acted as tool for the management. He submitted that the action of the Employer in dismissing the Workman from their services is arbitrary and vindictive. He submitted that assuming without admitting that Workman committed the acts alleged in the charge-sheet and the said acts amount to misconduct under the standing orders of the Corporation, he submitted that the misconduct are such that no major penalty can be imposed. Further assuming that the Workman is guilty of the misconduct, it is submitted that the punishment of dismissal imposed on him is disproportionate to the offence and is too harsh and severe. He submitted that punishment of dismissal awarded to Workman is disproportionate, as well discriminatory in nature, specifically there are number of drivers and conductors in the Corporation who were issued several, charge sheets, for various similar misconducts including financial irregularities, have been let off with minor punishment or warnings.

9. He further submitted that even some senior executives of the Corporation, including the complainant in this Workman's case Shri Pramod Gaonkar, Dy. G.M. Traffic, MW-1 before the enquiry, who were involved in financial irregularities and corrupt practices, and were placed under suspension on couple of occasion, in whose case enquiries were held and were found guilty of the allegations made against them, were let off with minor punishment, short of dismissal. He submitted that there are number of such drivers, conductors and mechanical staff, who were involved in very serious misconduct and whose cases they were charge sheeted and enquiries were enquiry were conducted after being issued necessary charge-sheet and though charges were proved at the enquiry, such employees were either taken back with minor punishment, ignoring the fact that during the pendency of their there had committed further misconducts and were issued more charge-sheets were let off with minor punishments or with no punishment. However, in the case of this Workman, he was discriminated in the matter of punishment matted out to him. He submitted that considering the circumstances stated by him in the foregoing paragraphs and particularly nature of allegation in the charge-sheet as well the evidence before the Enquiry Officer, he deserved a lenient punishment. However he has been discriminated by the Corporation for the similar set of facts and allegations made against him in the Charge-sheet. The Workman therefore prayed that this Hon'ble Tribunal be pleased to pass the award holding his dismissal by the Employer is illegal, unjustified and bad in law and direct the Employer to reinstate him in the services with full back wages from the date of his dismissal till the date of reinstatement with continuity of services and with all other benefits and privileges attached to the said post.

10. The Employer controverted the claim of the Workman by filing its written statement on 22-01-2013 at Exb.6. The Employer stated that it is a Govt. company registered under 617 of the Companies Act, 1956. The Employer stated that it is a State transport undertaking under the purview of the Motor Transport Act, 1988. The Employer admitted that the Workman was employed by them as a substitute driver w.e.f. 11-05-

1988 for a specific period upto 07-07-1988. The Employer stated that he was continuous in service as a substitute driver upto 30-1-1989 and was relieved from its services on account of his unsatisfactory performance vide letter dt. 31-01-1989. The Employer stated that the Workman was again appointed as a substitute driver on daily wages w.e.f. 18-02-1989 vide order dt.18-02-1989 for a specific period upto 16-04-1989. The Employer stated that the Workman was thereafter appointed on probation for a period of 3 months w.e.f. 01-10-1989 vide letter dt.18-10-1989.

11. The Employer stated that on 28-10-2010 at 8.00 hours Shri P. A. Gaonkar, Dy. G.M. (Traffic) visited Margao KTC Bus stand to oversee the operation of shuttle service as well as Nationalize routes and he had discussions with Shri S. G. Bhuskute, ATS and Shri A.P. Gracias, Traffic Inspector. The Employer stated that thereafter at about 10.30 hours the Workman along with a group of drivers/conductors came to the Dy. G. M. (TRF) and started arguing with him regarding extra trips attached to interstate routes/schedules namely Hospet, Bugalkot, Muddebehal etc. The Employer stated that the Workman argued that though there is no problem to him but there is a problem for other drivers due to extra trips. The Employer stated that the DY. G. M. (TRF) tried to convince the Workman and called individual driver in the cabin of ATS, Margao to discuss their problems. The Employer stated that while DY. G. M. (TRF) was busy in discussions and hearing, the grievances of the drivers, conductors, all of a sudden, the Workman along with two other conductors namely Narendra Lolienkar and Shri Prabhakar Gaonkar and also the media persons forcefully entered in the cabin of the ATS and started arguing arrogantly in an undisciplined manner, on top of his voice demanding to discuss the grievances of the drivers/conductors in front of the media people. The Employer stated that the Workman created nuisance in the office in front of the media and as such Dy. G. M. (TRF) left the cabin of ATS, when the Workman threatened the Dy. G. M. (TRF) with filthy and abusive language. The Employer stated that the Workman made a statement before the media accusing its management for not following the rules which was also reported in the newspaper namely, the Navhind Times, the Gomantak Times and the Herald dt. 29-10-2010. The Employer stated that the Workman was involved in another similar incident that took place on 07-06-2010 in the Chamber of Shri R. A. Luis, Depot Manager, Margao. The Employer stated that on 07-06-2010 while Shri R. A. Luis, Depot Manager was discussing the official matter with Shri S. G. Bhuskute, ATS and Shri A.P. Gracias, Traffic Inspector, the Workman along with some drivers and conductors attached to the Margao Depot entered the chamber of Mr. Luis and demanded as assurance from the Depot Manager to cancel all the double night out and caused chaos in the chamber of the Depot Manager. The Employer stated that in spite of making an appeal by the Depot Manager to all, the Workman did not respond and instigated other crew were by interstate as well as nationalized schedules operation was badly hampered resulting in cancellation and delay in the departures of respective destinations. The Employer stated that at this time the media also entered the chamber and the Workman was most vociferous and shouting top of his voice and giving report to the media people in front of the camera. The Employer stated that on account of the action of the Workman and not reporting by the drivers/conductors a total of 1972 Kms. trips per hours was cancelled and the amount of Rs. 2149/- was refunded to Belgaum-Kolhapur passengers on the interstate routes. The Employer stated that on account of such acts on the part of the Workman, it caused a lot of inconvenience to daily commuters and so also the loss of revenue to them as non-reporting of drivers/conductors for duty led to cancellation of the scheduled trips. The Employer stated that the acts of the part of the Workman being of grave and serious misconducts, they issued a charge-sheet dt. 02-11-2010 to the Workman for the misconducts under its Certified Standing Orders and an enquiry was conducted against him. The Employer stated that Mr. A. Carvalho, Depot Manager, Margao was appointed as the Enquiry Officer to conduct the enquiry and Shri Ankush Naik, ATS as the presenting officer. The Employer stated that the Workman fully participated in the enquiry initially along with its Defence Representative Mr. Raju Mangeshkar and thereafter in person. The Employer stated that the Workman was given full opportunities to conduct his defence which the Workman did. The Employer stated that the enquiry was concluded on 28-01-2012 for the submission of written arguments if any on or before 07-02-2012. The Employer stated that the Ld. Enquiry Officer submitted his findings on 13-03-2012 holding that the charges against the Workman were proved. The Employer stated that while the departmental enquiry was pending the Workman was issued a further charge-sheet dt. 30-11-2011 for negligently driving resulting in accident and damaged to the motor bike and rider and damage to its vehicle on which enquiry was ordered by the Disciplinary Authority. The Employer stated that thereafter, the Workman was issued show cause notice dt. 12-04-2012 to show cause as to why he should not be dismissed from the services for the serious acts of misconducts to against him. The Employer stated that a copy of the findings were furnished to the Workman alongwith the said show cause

notice dt. 12-04-2012. The Employer stated that the Workman was required to show cause within 7 days of the receipt of the notice. The Employer stated that the Workman sent his reply dt. 28-05-2012 to the show cause notice dt. 12-04-2012. The Employer stated that thereafter the Employer went carefully into the record of the enquiry proceedings, documents filed in the enquiry, the findings of the Enquiry Officer and the reply of the Workman to the show cause notice. The Employer stated that they found that the explanation was not satisfactory and agreed with the findings of the Enquiry Officer that the acts of the misconducts against the Workman stands proved and accordingly issued dismissal order dt. 12-06-2012 dismissing the Workman with immediate effect and asked the Workman to contact the Accounts Department for collection of his legal dues if any.

12. The Employer stated that its action in dismissing the Workman was in the interest of maintaining the discipline in the company. The Employer stated that the abuses and the threats to the superiors are serious acts of misconducts on the part of the Workman and such acts cannot be tolerated in the working of the corporation as such act would affect the discipline and so also will give loss of revenue to the corporation. The Employer stated that the past records of the Workman was also not good and was issued several show cause notices, charge-sheets and warnings etc. and also orally warned on several occasions in order to give him opportunities to improve his conducts. The Employer stated that its action on the part in dismissing the Workman is legal, just and bonafide and this Hon'ble Court shall be pleased to uphold the same. The Employer stated that in the event this Hon'ble Court comes to the conclusion that the inquiry conducted against the Workman is not fair or the findings are perverse, they craves leave to adduce evidence before this Hon'ble Court in support of the charges. The Employer denied the overall case as pleaded by the Workman in his claim statement and prayed for dismissal of the present reference.

13. Thereafter, the Workman filed his re-joinder on 18-02-2014 at exb.8. The Workman as and by way of re-joinder, confirms and reiterates all his submissions, averments and statements made in his Claim Statement to be true and correct and denied all the statements, averments and submissions made by the Employer in its Written Statement, which are contrary to his statement and averments made in his Claim Statement. The Workman stated that he was only singled out and victimized by discriminating him, whereas no action of any nature was taken against any other driver/conductor.

14. Thereafter on the basis of the pleadings filed by the Parties hereinabove, this Hon'ble Court was pleased to frame the following issues on 06-03-2014 at exb. 9.

1. Whether free, fair and proper enquiry was conducted against the Workman in accordance with the principles of natural justice?
2. Whether the charges of misconduct leveled against the Workman vide charge-sheet dated 02-11-2010 have been proved to the satisfaction of this court by acceptable evidence?
3. Whether the workman proves the action of the Employer in dismissing him from service vide order dated 12-6-2012 is illegal and unjustified?
4. Whether the workman is entitled to any relief?
5. What order? What Award?

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

- a) Issue No. 1 : In the negative.
- b) Issue No. 2 : In the negative.
- c) Issue No. 3 : In the affirmative
- d) Issue No. 4 & 5: As per final order.

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

REASONS

16. *Issue No. 1 & 2:*

By order dt. 23-2-2017 passed in my findings on the preliminary issue No. 1 and No. 2. It has been held that no fair and proper inquiry has been conducted against the Workman in respect of charge-sheet dt. 02-11-2010 and the inquiry conducted against the Workman is therefore quashed and set aside. The issue No. 1 and No. 2 is therefore answered in the negative.

17. *Issue No. 3:*

Indisputably, the Workman was issued a charge-sheet dt. 02-11-2010 alleging certain acts of misconducts against him and an inquiry was conducted against him. As stated above, by order dt. 23-2-2017 passed in my findings on the preliminary issue No. 1 and No. 2, it has been held that no fair and proper inquiry has been conducted against the Workman in respect of charge-sheet dt. 02-11-2010 and the inquiry conducted against the Workman is therefore quashed and set aside. The Employer Corporation therefore decided to conduct a fresh inquiry on the floor of this Hon'ble Court.

18. In order to prove its case, the Employer examined three witnesses namely Shri P. A. Gaonkar (MW1), the then Dy. General Manager-TRF, Shri Roque Luis (MW2), the Depot Manager and Shri Sanjay L. Ghate, (MW3) the General Manager of the Employer Corporation. It is the cardinal principle of industrial law that where a domestic enquiry is set aside, the entire onus of proving the alleged misconduct rests exclusive upon the Employer and the Employer shall establish the charges of misconduct by cogent evidence.

19. By charge-sheet dt. 02-11-2010, it was alleged against the Workman that on 28-10-2010 at 8.00 hrs. Shri P. A. Gaonkar Dy. G.M. (TRF) visited Margao KTC Bus Stand to oversee the operation of shuttle service as well as nationalized routes and had discussions with Shri S. G. Bhuskute, ATS & Shri A. P. Gracias, Traffic Inspector.

Thereafter, at about 10.30 hrs. you along with group of drivers/conductors came near to Dy. G.M. (TRF) and started arguing with him regarding the extra trips attached to interstate routes/schedules, namely Hospet, Bugalkot, Muddebehal etc. You argued that though there is no problem to you, but there is a problem for other drivers due to extra trips. Dy. G. M. (TRF) tried to convince you and called individual driver in the cabin of ATS, Margao to discuss their problems.

Further, Dy. G. M. (TRF) discussed the matter with drivers/conductors namely Kashinath Gaude, driver Inacio Norhna, Driver, Mahesh Khanolkar, driver, Chittaranjan Birje Conductor & Balu Patil, driver.

However, while Dy. G. M. (TRF) was busy in discussion with Shri Balu Patil, HVD all of a sudden you along with Shri Narendra Lolienskar & Shri Prabhakar Gaonkar, Conductors and also the media persons forcefully entered in the cabin of ATS and started arguing arrogantly in indiscipline manner, on top of voice demanding to discuss the grievances of drivers/conductors in front of the media people. You have created nuisance in the Office in front of media and as such Dy. G. M. (TRF) left the cabin of ATS when you threatened the Dy. G. M. (TRF) with filthy and abusive language. This news item appeared on newspaper namely Navhind Times, Gomantak & Herald, dt. 29-10-2010. As per news item of Gomantak, you have made statement to the media accusing the management of the Corporation for not following the rules.

Further, it has also been reported that on 07-06-2010 at about 10.00 hrs. Depot Manager, Margao was discussing in his chamber with Shri S. G. Bhuskute, ATS & Shri A. P. Gracias T.I. when some drivers and Conductors attached to Margao Depot entered his Chamber to discuss some issues on double night out schedules. At this stage you entered in the Chamber of Shri R. A. Luis, Depot Manager, Margao along with some drivers and conductors and demanded an assurance from Depot Manager to cancel all the double night out.

At this time there were total chaos in the chamber of Depot Manager. The crew of state and nationalized schedule were also present at this time. Inspite of making peal by Depot Manager, you did not response and also instigated other crew whereby interstate as well as nationalized schedules operation were badly hampered resulting in cancellation and delay departures for respective destinations. When the above incident was going on press reporters entered the chamber of the Depot Manager, and started video filming. You were most vociferous and shouting on top of your voice and giving reports to media people in front of camera.

This incident on 7th June, 2010 wherein you instigated other crew has caused lot of inconvenience to daily commuters and also loss of revenue to the Corporation, due to non-reporting by drivers/conductors, a total of 1973 kms were cancelled and an amount of Rs. 2149/- has been refunded to Belgaum-Kolhapur passengers on interstate route.

20. The Workman was therefore charge under the following misconduct under Clause 28 of the Certified Standing Orders of the Employer Corporation.

- xiii) Wilful insubordination or disobedience (whether or not in combination with another) of any lawful and reasonable order of a superior.
- xiv) Going on illegal strike or abetting, inciting, instigating or acting in furtherance thereof or resorting to obstruction aimed at or resulting on paralyzing the normal conduct or work of company.
- xxii) Drunkeness, riotous disorderly, indecent, or improper behavior on the premises of the establishment or outside the premises of the establishment, if it adversely affects or is likely to affect the working or discipline of the establishment.
- xxiv) Commission of any act subversive of discipline or good behavior on the premises or precincts of the establishment.
- xxv) Breach of any rules or instructions given by the superiors for proper functioning or safety of the establishment.
- xxxxi) Publishing or causing to be published in any manner any matter relating to the business or working of the establishment without the previous written consent of the management.
- xxxxvii) Restraining or detaining or gheraoing any representative/employee or employees of the Corporation either inside or outside the premises of the Corporation.
- Lii) Use of impolite or insulting or abusive language assault or threat of assault intimidation or coercion within the premises of the Corporation against the employee of Corporation or any of person authorized to work in the Corporation and any such act outside the premises of the Corporation, if it directly affects or is likely to affect the discipline or work or business of the Corporation.
- Lvi) Pursuance of any conduct against the interest of the Corporation.

21. Shri P. A. Gaonkar, in his examination in chief deposed that on 28-10-2010 when he was holding the post of Dy. General Manager (TRF) he visited Margao Depot of the Employer Corporation at 8.00 a.m. to oversee the shuttle service operations. He deposed that after having discussions with S. G. Bhuskute, ATS and Shri Gracias while proceedings towards his vehicle, the Workman alongwith group of drivers lead by him approached him and thereafter the Workman started arguing on top of his voice regarding extra trips attached to Hospet, Bugalkot, Mudhebehal and also regarding revise schedules. He deposed that Workman argued in rude manner stating that he wants to discuss for the drivers and conductors. He deposed that since the behavior of the Workman was attracting public attention on the bus stand, he asked the drivers that if they have any grievances then he is ready to listen then individually and accordingly asked them to come to ATS cabin. He deposed that the Workman continued to argue demanding that he wants to discuss all the issues right here however he immediately proceeded to ATS cabin and started listening to the grievances of drivers namely Shri Kashinath Gawde, Inacio Noronha and Shri Mahesh Kanolkar and conductors namely Chittaranjan Berje and Shri Balu Patil drivers. He deposed that while having discussion with Shri Balu Patil, the driver, all of sudden the workmen alongwith group of drivers and conductors accompanied by media persons barged into the office of the ATS and started again arguing to discuss the grievances in front of the media. He stated that he asked Workman that these are corporation matters and the same shall be discussed amongst themselves and not in the presence of media and that the Workman did not heed to his advice and continued demanding on top of his voice arrogantly and in rude manner to have discussions of the matter. He deposed that he informed that he do not want to discuss anything in front of the media and started walking out of the cabin on which the Workman abused him by using filthy words and that thereafter on reaching the head office he submitted his report dt. 28-10-2010 of the said incident. He deposed that the Workman forcefully restrained the drivers and conductors in performing their duties and instigating them.

22. In his cross examination, MW1 admits that at the relevant time, he was holding the post of Dy. General Manager (Traffic) and was also In-charge of traffic section. He admits that being in-charge of the Traffic section, all the employees of the Employer designated as drivers, conductors, traffic controllers, traffic inspectors and line checking staff were directly controlled under his supervision. He admits that at the relevant time, apart from Dy. General Manager (Traffic) he was also holding the post of one of the notified disciplinary authority for the traffic staff of the Employer. He admits that all the drivers, conductors, traffic controllers, traffic inspectors and line checking staff were coming under his authority in the matter of disciplinary action. He admits that all the disciplinary action were taken under his instructions whenever any file was referred to him. He admits that the present charge-sheet was issued to the only single Workman i.e. the party-I. He admits that the charge-sheet was issued to the Workman after his submissions of his report dt. 28-10-2010 at Exb. 55 recommending stern disciplinary action against the Workman immediately. He admits that being the disciplinary authority and involved in the incident, he has suggested the Managing Director to delegate the power of the disciplinary action to another person by name Shri Cuncolienkar. He admits that after he submitted his report dt. 28-10-2010 at Exb. 55, the Workman was issued a charge-sheet dt. 02-11-2010 at Exb. 28. He admitted that at the relevant time Shri S. G. Bhuskute as well as Shri A. P. Gracias who has signed the said note at Exb.48 were in the traffic cell of the Employer Corporation attached to Margao Depot. He admits that the report dt. 08-06-2010 at Exb. 49 was addressed to the Dy. General Manager (TRF) and disciplinary authority of the Employer at the Head Office, Porvorim, Goa. He deposed that he has not gone through the said report at Exb. 49 though he produced the same. He admits that the report at Exb.49 speaks about the incident of 07-06-2010 which pertains to the several drivers and conductors attached to Margao Depot and their grievances pertaining to cancellation of double night out schedules and cancellation of various schedules etc. He deposed that as a disciplinary authority, he used to take independent decisions on the facts and circumstances of each case. He admits that as per the note at exb.48, which was signed by Asst. Traffic Superintendent as well as Traffic Inspector and it was addressed to the Depot Manager of the Employer Corporation of the Margao Depot. He admits that the said note was pertaining to the non-operations of nationalize route and other village/school trips and inter-state due to the drivers including the Workman under reference rushing to the ADM discussions. He admits that before the Workman under reference entered in to the chamber of the DM, there were already 20 to 25 drivers/conductors were present in his cabin. He admits that the Workman under reference went to DM's cabin along with 50 to 55 drivers/conductors. He deposed that he is not aware if any disciplinary action has been taken against any of them. He deposed that as per the said report at Exb. 49, around 40 drivers and conductors attached to the Margao Depot had barged into the Depot Manager's Chambers, without any prior notice. He deposed that there is nothing in the said report at Exb. 49 that the said drivers and conductors had gone to discuss the four points as stated in the said report at Exb. 49. He deposed that there is no provision in the Certified Standing Orders of the Employer pertaining to double night shifts. He admits that as per the said report at exb.49, the Workman entered into the chamber of the Depot Manager along with more drivers after the Depot Manager telephonically contacted Shri S. Ghate and discussed these things and informed them above points are considered favorably. He admits that in terms of circular at exb.50, it has been reported to him that on 07-06-2010 from 10.00 hrs. till 15.00 hrs. some of the drivers and conductors abandoned their duties on route allotted to them while some of them did not report for duties at all and gathered in the chamber of the Depot Manager demanding that double night out schedules should be scraped and that due to this 31 schedules going on various routes including inter-state routes were not operated thereby 1241 Kms. were cancelled and this resulted into inconvenience to the travelling public and loss of revenue to the Corporation. He admits that abandoning the duties, not reporting for duties and causing financial loss to the corporation are grave misconducts as per the CSO of the Employer. He admits that at the relevant time the Workman was on duty off and as such there is no question of committing of any misconducts of abandoning the duties, not reporting for duties and causing financial loss to the corporation. He deposed that he is not aware as to whether the Employer has taken any action against any of its drivers/conductors who were involved in the said incident and committed misconducts. He admits that the report at exb.49 did not state that the Workman had called for press reporters for video filming however, as per the said report at exb.49 the press reporters were called by the employees of the Employer without any naming in particular. He admits that the Employer has not produced on record any photographs or video clipping of the Workman giving report to press in front of the camera. He deposed that he is not aware that though it was reported to the Employer vide report at Exb.49, no action of whatsoever nature were taken by the Employer against any of the said employee whose names are appearing in the said report. He admits that there are security personnel posted at the Margao Depot at main gate however, he is not aware as to whether

at the relevant time, the said security personnel were posted at Margao Depot at main gate. He admits that the said security personnel were engaged throughout 24 hours at the main gate and that the cabin of the Depot Manager, Margao is inside the main gate of the Margao Depot and the traffic Department is outside the main gate of the depot. He admits that the contents of the documents at exb. 49 are correct and it was marked to Dy. G.M. (TRF) and disciplinary authority of the Employer and a copy was sent to P.A. to M.D. for information. He admits that on the basis of the said documents at exb. 49 one cannot assume that the Employer had taken any action in pursuance of the said report. He admits that in his report at exb. 55, he had never stated that he has been obstructed by anybody while proceeding towards Panaji after living ATS Office. He admits that at the relevant time he has not been stopped by anybody while proceeding towards the ATS Office. He admits that the photograph at exb. 52 shows that the Workman is not appearing in the said photo. To the question that had you given any instructions or order to the Workman under reference on 28-10-2010, he deposed that he cannot recollect. He deposed that he has not specifically mentioned the abusive words given by the Workman in his report at exb. 55 and that he has not specifically mentioned the types of threats given to him by the Workman at exb. 55. He admits that there is nothing to show that the document at exb. 52, exb. 53 and Exb. 54 to show that neither the Workman was given any threats to me nor used abusive words at the relevant time. He admits that in the document at exb. 52 as well as Exb. 53 neither the ATS nor TI and DM is not appearing.

23. He admits that none of the said documents at exb. 52 as well as Exb. 53 did not publish any news stating that the Workman and/or the workers had created nuisance and as such he left the office at the relevant time. He admits that though in the charge-sheet it is alleged that "You have created nuisance in the office in front of media and as such Dy. G.M.(TRF) left the cabin of ATS when you threatened the Dy. G. M. (TRF) with filthy and abusive language and this news items appeared on newspapers namely Navhind Times, Gomantak and Herald dt. 29-10-2010, no such news have been appeared in the said newspapers which are on record at exb. 52, Exb. 53 and Exb. 54. To the question that the Exb. 55 does not contained any acknowledgment or any strength of the Employer of having received the same, he deposed that based on the said report, the Employer had taken action against the Workman. He admits that in the said report at exb. 55, he has not mentioned as to what time he was proceeding to his vehicle at the relevant time. He admits that in the said report at Exb. 55, he did not mention the names of the conductors/drivers who approached him at the relevant time other than the Workman under reference. He deposed that similarly, he has also not mentioned the group of drivers/conductors who had forcibly entered in the cabin of ATS at around 10-50 hrs. He deposed that as he did not recognized their names of drivers and conductors. He admits that as per the said report at exb. 51, there were three persons named in the said report apart from the Workman. He admits that as per the said report at exb. 51, it has been reported that Shri Narendra Lolyekar, conductor was instigating other drivers and conductors to gherao in the ATS cabin. He admits that gheraving or instigating other workmen to be a misconduct as per CSO of the Employer. He deposed that he is not aware if any action has been taken against the said Shri Narendra Lolyekar, Conductor who was instigating other drivers and conductors to gherao in the ATS cabin. He deposed that he has not made any enquiry if any action has been taken against the said Shri Narendra Lolyekar for his acts of misconducts though the documents at exb. 51 has been produced by me on record. He admits that the charge-sheet at exb. 28 pertains to the incident dt. 07-06-2010 as well as dt. 28-10-2010. He deposed that he is not aware if any action has been taken against Shri Jacques whose name is appearing in the report at Exb. 49. He admits that in the report at exb.49, it has been reported that he was being supported by Shri Albert Jacques, Shri Mangesh Naik, driver Shri Tari, conductor and others, he do not know if any action has been taken by the Employer against any of the said conductors/drivers for their alleged misconducts. Thus, the cross examination of Shri P. A. Gaonkar has been shaken.

24. Shri Roque Luis (MW2) in his examination chief deposed that on 28-10-2010 he was holding charge of Margao Depot and Depot manager since A. Carvalho was on leave. He deposed that he received report dt. 28-10-2010 (Exb. 51) from Shri S. G. Bhuskute, ATS regarding the incident that occur in the traffic section on 28-10-2010 and that said report was forwarded to the disciplinary authority and the name of the Workman has been mentioned in the said report. He deposed that on 7-06-2010 he was holding the charge of the depot manager at Margao depot and a similar incident was occurred involving the Workman. He deposed that on the said day, he was discussing official matter with ATS in his cabin and at around 10 hrs. group of 40 drivers/conductors entered the cabin without prior notice and Shri Albert Jacques informed that they had come to discuss some issue regarding double night outs. He deposed that he had discuss the said issue in the report dt. 8-06-2010 (Exb. 49). He deposed that the said issue mention in his report was

informed to Dy. G. M. (TRF) telephonically and the same point he considered favorably by Dy. G. M. (TRF). He deposed that at that juncture, the Workman entered in his cabin alongwith with press and media reporters. He deposed that the Workman alongwith Shri Albert Jacques started demanding that all double night out schedules be cancelled and that until the double night out schedules are cancelled they will sit in the cabin and appealed other not to go on duty. He deposed that the Workman was most vociferous and he was giving reporting to the media camera man. He deposed that as Margao Depot nationalized schedules were supposed to start at 11.45 hours and when he came to know that the crew has signed the nationalized and other routes to go on routes but not reported to take the custody of the schedule vehicles. He deposed that he appealed all the crew who were present in his cabin to go on routes but his appeal was come down by them and there was rush of passengers at the Margao bus stand creating the total chaos and that there was no operation and many trips were canceled. He deposed that the matter was reported to Dy. G. M. (TRF) telephonically and written report dt. 8-06-2010 (Exb. 49) was sent.

In his cross examination, he deposed that he was not present in the chamber during the said incident on 28-10-2010 and that the said incident occurred in the deposed is far from his chamber and that he was not consulted before issuing charge sheet at Exb 43. He deposed that around 40 drivers and conductors entered the chamber of Depot Manager on 7-06-2010 and neither he nor the Employer had issued any charge sheet to all the 40 drivers and conductors. He denied that the charge sheet issued to the Workman is vague, incomplete and not in accordance with the certified standing orders. Thus, the deposition of MW2 is hearsay.

25. Shri Sanjay L. Ghate (MW3) the General Manager of the Employer corporation. He deposed that on 28-10-2010 at 8.00 hours Shri P. A. Gaonkar, Dy. G. M. (TRF) visited Margao KCT bus stand to oversee the operation of shuttle service as well as nationalized routes and has discussion with Shri S. G. Bhukute, ATS and Shri. A. P. Gracias Traffic Inspector. He deposed that at around 10.30 hours the Workman alongwith a group of drivers/conductors came to the Dy. G. M. (TRF) and stated arguing with him regarding extra trips attached to inter-stated routes/ schedules namely Hospet, Bugalkot, Muddebehal etc. He deposed that the Workman argued that though there is no problem to him but there is a problem for other drivers due to extra trips. He deposed that while the Dy. G. M. (TRF) was busy in the discussion and hearing the grievance of the drivers/conductors, all of sudden the Workman alongwith 2 other conductors namely Narendra Lolyenkar and Shri Prabhakar Gaonkar and also the media person forcefully enter in the cabin of the ATS and started arguing arrogantly in an undisciplined manner, on top of his voice demanding to discuss the grievances of the drivers/ conductors in front of the media people. He deposed that the Workman created the nuisance in the office in front of the media and as such Dy. G. M (TRF) left the cabin of ATS when the Workman threatened the Dy. G.M (TRF) with filthy and abusive language and that the Workman made a statement before the media accusing the management of the Employer for not following the rules which was also reported in the newspaper namely the Navhind Time, the Gomantak Times and the Herald dt. 29-10-2010. He deposed that the Workman was involved in another similar incident that took place on 7-06-2010 in the chamber of Shri R. A. Luis, the depot manager Margao. He deposed that on 7-06-2010 while Shri R. A. Luis, Depot Manager was discussing the official matter with Shri S. G. Bhukute, ATS and Shri A. P. Gracias, TI. The Workman alongwith some drivers and conductors attached to the Margao depot entered the chamber of Mr. Luis and demanded an assurance from the Depot Manager to cancel all the double night out and caused chaos in the chamber of the depot manager. He deposed that in spite of making appeal by the Depot Manager to all, the Workman did not respond and instigated other crew where by inter- state as well as nationalized schedules operation was badly hampered resulting in cancellation and delay in the departures of respective destination and that at this time the media also entered the chamber and the Workman was most vociferous and shouting top of his voice and giving report to the media people in front of the camera. He deposed that on account of such acts of the part of the Workman it caused a lot of inconvenience to daily commuters and so also the loss of revenue to the cooperation as non-reporting of drivers/conductors for duty led to cancellation of the schedules trips.

In his cross examination, MW3 admits that the fact stated by him in his affidavit in evidence are not his personal knowledge but based on record available with the Employer. He deposed that in the year 2010 his designation was deputy general manager (technical) and in the year 2019 he was promoted to the post of general manager. He deposed that at the relevant time he was sitting in the head office of the Employer at Porvorim. He deposed he was not consulted while issuing a charge sheet. He deposed that he is not aware as to how many charge sheets were issued to other workers for the incident of 28-10-2010. He deposed that he did not recollect as to what were the names of the other crew who instigated by the Workman as mention in

para 5 of his affidavit in evidence. He admit that he was not the eye witness to the incident of 28-10-2010 as mentioned in para 3 of his affidavit in evidence as well as incident of 7-06-2010 as mention in para 5 of his affidavit in evidence. Thus, evidence of the MW3 is hearsay.

26. On the contrary, the Workman examined himself in support of his defense. In his examination in chief, the Workman deposed that he was a permanent employee of the Employer Corporation, being employed as a driver and working for last over 25 years. He deposed that he was last employed at Margao depot of the corporation before the purported to dismissal order dt 12-06-2012 was issued to him by which his services have been illegally terminated. He deposed that on 07-06-2010 all the drivers and conductors employed at the Margao depot for the corporation were perturbed over issue of sudden change of schedule of duty roster whereby the drivers and conductors had to perform double night out schedule. He deposed that since this change was affecting all the drivers and conductors employed at Margao depot of the corporation, numbering over 400 all had gone to see the depot manager in his cabin at Margao depot. He deposed that there was no chance for himself and many others drivers and conductors to entered the cabin of the depot manager as the cabin of the depot manager was already full with large number of aggrieved drivers and conductors, who had already entered the cabin of the depot manager before himself and many others drivers and conductors reaching there to meet the depot manager and that he only entered the cabin when he was called in for discussion. He deposed that since the issue of change of duty schedule was not settle immediately, drivers and conductors were disturbed and wherein agitating mode for change of duty schedule and they were reluctant to carry out duty as per changed schedule. He deposed that in same situation on 28-10-2010 when Shri Pramod Gaonkar Dy. G. M (TRF) as well one of the notified disciplinary authority of the corporation visited Margao depot to access the working condition of the drivers and conductors, agitating drivers and conductors numbering over 400 rushed to Shri Pramod Gaonkar, Dy. G. M. (TRF) and started arguing with him over extra trips, extra duty hours allotted to drivers and conductors over and above their normal duty attached to interstate routes/schedule. He deposed that since it was over crowded in the cabin, all the drivers and conductors gathered there being large in number, were unable to enter the cabin, to explain their difficulties and therefore all the drivers present outside the cabin decided to send one driver as their representative to explain to Dy. G. M. (TRF) the difficulties faced by the drivers. He deposed that he was asked by the drivers numbering about 200 to go to Dy. G. M. (TRF) and explain the difficulties faced by the drivers. He deposed that when he went inside the cabin to discuss the difficulties faced by the drivers, Dy. G. M. (TRF) refused to discuss or hear the grievances of the drivers being presented by himself. He deposed that the said Shri Pramod Gaonkar Dy. M. G. (TRF) refused to allow him to participate in the discussion and refused to entertain him to explain and submit the difficulties and/or grievances faced by drivers working at Margao depot.

In his cross examination, the Workman admits that he was issued a charge sheet for the alleged incident of 07-06-2010 and 28-10-2010. He deposed that he alongwith other drivers and conductors had gone to meet Mr. Pramod Gaonkar and not singularly himself. He deposed that at the relevant time the double schedule duties issued to the drivers and conductors around 31 schedule were cancelled due to our protest and that he is not aware if any loss were caused to Employer Corporation on account of cancellation of 31 schedules. He admits that on 07-06-2010 when the incident took place the media has arrived there. He admits that on account of extra trips attached to interstate crew/schedules namely Hospet, Bugalkot, Muddebehal etc. they had gone to meet Dy. G. M. (TRF) Mr Pramod Gaonkar. He deposed that he is not aware if on the incident dt. 28/10/2010 whether the media was present and that the media was present at the time of incident dt. 07-06-2010.

27. Thus, from the aforesaid deposition of the management witnesses as well as cross examination of the Workman, it appears that the management has failed to prove any of the charges of misconduct levelled against the Workman vide charge sheet dt. 02-11-2010 at Exb. 28. The failure to prove any of charge of misconduct levelled against the Workman, the action of the management in dismissing the services of the Workman vide order dt. 12-06-2012 is illegal and unjustified. The issues No. 3 is therefore answer in the affirmative.

28. *Issue No. 4:* While deciding the issue No. 3 hereinabove I have discussed and come to the conclusion that the action of the management of the Employer in dismissing the services of the Workman vide order dt. 12-06-2012 is illegal and unjustified. The age of the Workman is 63 years. Thus the Workman attained the age of superannuation as on 31-05-2022 during the pendency of the present litigation and therefore the Workman is not entitled for reinstatement.

29. Ld. Adv. Shri S. Gaonkar, during the course of oral argument, submitted that the Workman remained unemployed since his illegal dismissal and therefore entitled for full back wages and consequential benefits thereof. He relied upon a judgment in the case of Chowgule Industries Ltd. v/s Chowgule Employees Union, reported in (2007) 5 Mah LJ 241 of Hon'ble High Court of Bombay and a Judgment of Hon'ble Apex Court in the case of **Deepali Gundu Survase V/s. Kranti Junior Adhyapak Mahavidyalaya, reported in (2013) 10 SCC 324.**

30. In the case of **Chowgule Industries Ltd. (Supra)**, the Hon'ble Bombay High Court has specifically observed in relation to cases where victimization is apparent:

"The Tribunal was justified in not going into the issue of whether the Workman was gainfully employed or not after he was discharged from service. Apart from that, the Tribunal came to the conclusion that the order of discharge was as a result of victimization and was passed with malafide intention. In such circumstances, the Workman would be entitled to get full backwages, particularly when the question of reinstatement in the present case would not arise as the Workman has already reached the age of superannuation in the year 1999."

The principle let down Hon'ble Bombay High Court in his aforesaid is not applicable to the case in hand.

31. In the case of **Deepali Gundu Survase (Supra)**, the Hon'ble Supreme Court of India, held as under:

38.1. *In case of wrongful termination of service, reinstatement with continuity of service and back wages is the normal rule.*

38.2. *The aforesaid rule is subject to the rider that while deciding the issue of back wages, the adjudicating authority or the court may take into consideration the length of service of the employee/workman, the nature of misconduct, if any, found proved against the employee/workman, the financial condition of the employer and similar other factors.*

38.3. *Ordinarily, an employer or workman whose services are terminated and who is desirous of getting back wages is required to either plead or at least make a statement before the adjudicating authority or the court of first instance that he/she was not gainfully employed or was employed on lesser wages. If the employer wants to avoid payment of full back wages, then it has*

a. to plead and also lead cogent evidence to prove that the employee/workman was gainfully employed and was getting wages equal to the wages he/she was drawing prior to the termination of service. This is so because it is settled law that the burden of proof of the existence of a particular fact lies on the person who makes a positive averment about its existence. It is always easier to prove a positive fact than to prove a negative fact. Therefore, once

b. the employee shows that he was not employed, the onus lies on the employer to specifically plead and prove that the employee was gainfully employed and was getting the same or substantially similar emoluments.

38.4. *The cases in which the Labour Court/Industrial Tribunal exercises power under Section 11-A of the Industrial Disputes Act, 1947 and finds that*

c. with the rules of natural justice and/or certified standing orders, if any, but holds that the punishment was disproportionate to the misconduct found provided, then it will have the discretion not to award full back wages. However, if the Labour Court/Industrial Tribunal finds that the employee or workman is not at all guilty of any misconduct or that the employer had foisted a false charge, then there will be ample justification for award of full back wages.

The principles laid down by Hon'ble Apex Court in its aforesaid judgment is applicable to the case in hand.

32. Per contra, Ld. Adv. Shri P. Agarwal representing the Employer relied upon a judgment of Hon'ble Apex Court in the case of **management of Visional Chief Engineer, P. H. E. D, Ranchi V/s Their Workmen, reported in 2018 (III) CLR 679**, and submitted that the Workman is gainfully employed and therefore he is not entitled for any back wages.

33. In the case of **management of Visional Chief Engineer, P. H. E. D, Ranchi (Supra)**, the Hon'ble Apex Court held as under:

“12 It is necessary for the workman in such cases to plead and prove with the aid of evidence that after his dismissal from the services he was not gainfully employed anywhere and had no earning to maintain himself or /and his family. The employer is also entitled to prove it otherwise against the employee, namely, that the employee was gainfully employed during the relevant period and hence not entitled to claim any back wages. Initial burden is, however, on the employee”.

The principle laid down by the Hon’ble Apex Court is applicable to the case in hand.

34. In the case in hand, the Workman pleaded that after termination of his services, he is unemployed. During the course of his cross-examination, the Workman deposed that he owned two four wheelers in his name i.e. Baleno and Kia each and that he do not gave these vehicles on rent nor drive on rent or hire them on rent. The Workman also deposed that he do not have any interest in driving after termination of his services although he was driving said private vehicles for his living and that his wife is government servant and as such he do not have any interest to ply his vehicles on hire rent basis. He denied that he has sufficient income and he is gainfully employed. Thus, though the Workman has denied that he has sufficient income, the evidence on record indicates that the Workman has sufficient income. In the circumstances the Workman is entitled to 30% of back wages along with consequential benefit thereof from the date of his termination till the date of his superannuation from the service of the Employer w.e.f. 31-05-2022.

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

ORDER

1. It is held that the action of M/s. Kadamba Transport Corporation Limited, Alto-Porvorim, Goa, in dismissing from service Shri. Kamalakar Gadkar, Driver vide its dismissed order No. KTC/PERS/4 (1717)-2012-2013/558 dated 12-06-2012, is illegal and unjustified.
2. It is held that M/s. Kadamba Transport Corporation Limited, Alto-Porvorim, Goa, is hereby directed to pay to the Workman Shri Kamalakar Gadkar a 30% of back wages from the date of his termination w.e.f 12-6-2012 till date of his superannuation i.e. up to 31-05-2022 alongwith consequential benefit thereof
3. No order as to costs.
4. Inform the Government accordingly.

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

Panaji.

Notification

No. 28/02/2025-LAB/Part-I/33

Date : 05-Jan-2026

The following Award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 17-12-2025 in Case Ref. No. IT/72/2003 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 Shivilkar, Hon’ble Presiding Officer)

Ref. No. IT/72/2003

Workmen Rep. by
 Goa Trade & Commercial Workers' Union,
 2nd Floor, Velho's Building,
 Opp. Municipal Garden,
 Panaji-Goa. Workmen/Party I

V/s
 M/s. Zuari Industries Limited,
 Zuarinagar-Goa. Employer/Party II

Workmen/Party I represented by Learned Advocate Shri Suhaas Naik.

Employer/Party II represented by Learned Advocate Shri G. K. Sardessai along with Advocate Ms. M. Rao.

AWARD

(Delivered on this the 17th day of the month of December of the year 2025)

By Order dated 29-10-2003, bearing No. 28/36/2003-LAB, the Government of Goa in exercise of its 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"), referred the existing dispute between the management of M/s. Zuari Industries Ltd., Zuarinagar, Goa and its workmen, 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 the demand of the Goa Trade and Commercial Workers' Union on behalf of the workmen employed by the contractors specified in Annexure to this Order, for extension of appropriate relief either by way of absorption or regularization in service with consequential benefits on par with permanent and regular workmen of Zuari Industries Ltd., with effect from their original date of joining on the ground that contract between M/s. Zuari Industries Ltd., and their contractors listed in Annexure to this order is sham and bogus is legal and justified irrespective of their continuance in employment or not, on the date of this reference and pending award on this reference?*
- (2) *If not, to what relief, if any, the workmen are entitled?"*

ANNEXURE List of Contractors

1. M/s. New Era Handling Agency (NEHA).
2. M/s. Grewal Engineering Services.
3. M/s. R. M. P., Security Organization and Methods.
4. M/s. Mivir Constructions
5. M/s. Raju Electricals.
6. M/s. G. M. Bhandare Transport.
7. M/s. Sebi Fernandes.
8. M/s. Soma Civil Construction.
9. M/s. Newkem Engineering Private Limited
10. M/s. Gen Cargo Handling Agency.
11. M/s. Chemical Carriers.
12. M/s. Singh transport Carriers.

13. M/s. S. Nicholas.
14. M/s. Sea Build Engineering.
15. M/s. Deepak G. Kharangate.
16. M/s. Avis Marine Services.

2. Upon receipt of the reference, it was registered as IT/72/2003 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 their Statement of Claim, Party I stated that theirs is a registered Trade Union and all the workmen concerned in the present reference are their members. The Party I has espoused the cause of these workmen before the Management i.e. the Party II/Employer. It is stated that all the Contractors mentioned in the schedule reference are sham and bogus appointed by the Party II at their Plant who has recruited many workmen. The Party II/Employer is an industry mainly producing fertilizers and for the purpose of manufacturing the same has engaged around 2000 workmen through different contractors (sham). It is stated that the contract workmen are used for various basic operations (mechanical or electrical) as well as for other task such as transportation, loading, unloading, fabrication of spare parts, maintaining security, House-keeping and other general maintenance work.

4. The Party I stated that the so called sham contractors engaged by the Party II whose names are mentioned in the Annexure perform various jobs at the Plant in its core activities and has been described under different headings and also perform different duties as specifically stated by the Party I in their Claim Statement. It is the case of the Party I that the work done by the so-called contractors is of permanent and perennial in nature and this work is such that the Party II/Employer cannot be permitted to engage the contract workmen in such core operations. The Party I states that Party II is engaging the so-called contract workmen in order to deny the benefits regularization, absorption and other benefits to these workmen which is an unfair labour practice as per Item 10 of the Fifth Schedule of the Industrial Disputes Act, 1947.

5. The Party I/Union states that neither the workers nor the Union was even been shown any written contracts between the Party II and the so-called contractors and the union contends that no such valid contracts are in existence at all and that none of the contractors are having any other contracts with any other Principal Employer. The Union states that this also goes towards showing that the said contractors are not well established and genuine contractors but are mere 'shields' to cover and protect the Party II from the direct 'Master and Servant' relationship which can be seen from the fact that neither did the Party II have the requisite representation nor did the contractors have the requisite licenses as required under the provisions of the Contract Labour (Regulation & Abolition) Act, 1971 for the whole period of the existence of such contracts and infact they have gone and obtained such registration and licenses only after the Union has raised a protest concerning the contract workers.

6. The Party I states that the contract workers are given a Sundry Allowance/Conveyance Allowance instead of Travelling Allowance which is given to permanent workers and which is less for the contract workers than for the permanent workers. It is stated that separate canteens are maintained, one for the permanent workers and the other for the contract workers, both of which are statutory mandated. The canteen for the permanent workers has facility for refreshments besides meals which facility is not available in the canteen for the contract workers and even the incentive scheme is better for the permanent workers than in respect of contract workers.

7. The Party I/Union states that certain jobs done by the contract workers involved fabricating and repair of all the Plant and Machinery in the establishment of the Party II is permanent and perennial in nature and that the raw materials and products of the establishment are highly corrosive leading to frequent leaks and stoppages. The Party I states that it is necessary that the insulators, scaffolders and the fabricators must be on hand at all times and the said work is clearly of a perennial nature and is also clearly incidental to the work of the establishment sufficient to engage a substantial number of whole-time workers which is normally done by permanent workers in other similar establishments. It is stated that even in this occupations, the contractors keep changing while the workers remain constant. Party I states that the same considerations apply to the workers who do all the carpentry work in the establishment as it is their job to repair doors, windows, chairs, shelves, etc. in the Party II establishment as they make boxes and crates.

8. The Party I/Union further states that the contract workers were entitled to the benefits of being made permanent from their initial dates of appointment itself since the contractors are sham contractors as the demand for absorption and regularization was raised by the Union way back in January, 1984. The Party I states that the workers are entitled to be absorbed and regularized with effect from their original dates of joining with all consequential benefits including arrears of wages, leave, etc.

9. The Party I states that the contract workers are continued by Party II for the last many years continuously in the permanent and perennial job operations and that the employment of the contract workers in the various occupations of Party II constitutes an unfair labour practice as defined under the applicable provisions of the Industrial Disputes Act, 1947. The Party I states that the Party II should be prohibited from employing contract workers in the permanent and perennial job operations and that all the contract workmen have to be absorbed and regularized on the permanent rolls of the Party II/Company.

10. The Party I prays that all the contractors whose names are mentioned in the Annexure annexed to the schedule of reference and under whom all the contract workmen who are employed be absorbed and regularized on the permanent rolls of the Party II/Company with all consequential benefits with effect from their original dates of joining

11. The Party II in its Written Statement at Exhibit 5 filed their preliminary objections on the maintainability as well as on the merits of the reference. It is submitted that as the reference proceeds on the assumption/footing that the contract between the contractors and the Party II referred to in the schedule to the reference is a sham and bogus contract as the subject matter of the reference is confined to demand for absorption and regularization. It is submitted that there cannot be adjudication for demand for absorption and regularization unless there is a declaration by the Industrial Tribunal that the contract between the contractors and the Party II is a sham and bogus contract as the regularization or absorption on declaration of a sham contract is within the realm of the managerial rights subject to the condition of suitability and age etc. and hence there cannot be an independent demand for such absorption and regularization.

12. The Party II submits that the demand for absorption and regularization can be raised only at the instance of the Union representing the workmen of the Principal Employer. The Party II submits that reference is made during the pendency of the settlements in the matter of Charter of Demands between the Management of the Contractors and the workmen of the said contractors which are annexed to the settlement.

14. On merits, the Employer/Party II have denied each and every statement made by the Party I in their Claim Statement. It is their case that the contract workmen employed by the Contractor are paid wages and benefits much more than not only many permanent employees of the Party II but also of employees of many establishments in Goa and the average wage inclusive of all benefits excluding canteen is around Rs. 13,000/- per month and most of the Contractors have also decreased their weekly working hours to 44 hours per week.

15. It is further submitted that there are no comparable categories between the Contract Labour and regular employees of the Company and that the workmen engaged by the Contractors and those who are on the Roll of the Contractor were recruited by them by following their own system of recruitment and as per their requirement. The Party II submits that it is quite obvious from the Claim Statement itself and from the nature of the operations that the workmen presently employed by the Contractors are surplus by any standard.

16. The Party II submits that in the event that the Tribunal comes to the conclusion that the workmen of the contractors are to be treated as the workmen of the Principal Employer, this Tribunal should also go into the issue as to whether the workmen are surplus to the requirement of Party II and the necessity of retrenchment of such surplus workforce and pass appropriate orders accordingly.

17. In the Rejoinder filed at Exhibit 13, the Party I/Workmen denied each and every averment made by the Party II in their Written Statement.

18. Considering the case put forth by both the Parties, this Tribunal was pleased to frame the following Issues on 30-09-2010 which read as under:

ISSUES

1. Whether the Party I proves that the workmen employed by contractors are entitled for absorption/regularization in service with consequential benefits on par with permanent/regular workmen of the Party II?
2. Whether the Party I proves that contracts between the Party II and its contractors are bogus and sham?
3. What relief and order?

19. The Party I/Workmen examined Shri Rajendra Datta Mangueshkar in support of their Claim Statement and closed their evidence. The Party II Employer endorsed on the Rojnama closing their evidence without examining any witness.

20. At the time of final arguments, heard both the Learned Advocates and also considered the Written Synopsis filed by Adv. Ms. M. Rao at Exhibit 39.

21. The Party II/Employer contended that though the Party I has filed Affidavit-in-Evidence of its witness, Mr. Raju Mangueshkar in the capacity of General Secretary of the Party I/Union, was subsequently dropped as a witness, thus rendering the cross-examination incomplete and therefore the evidence of the said witness cannot be taken into any consideration. It is a matter of record that despite given several opportunities to the Party I/Workmen, the Party I could not make Shri Mangueshkar available to complete his cross-examination and finally took decision to drop this witness, thus the Party I/Union could not discharge their burden to prove both the issues as the burden to prove the same was on the Party I/Union. Having failed to subject the Party I witness for proper cross-examination, the Employer/Party II could not avail the opportunity to bring out the correct facts as well as was denied opportunity to put proper defence through cross-examination.

22. In the case of **Ripen Kumar v/s Department of Customs 2001(I) JCC (Delhi) 47** wherein it was held that “*it is only when the witness is permitted to be cross-examined then the credibility of the witness can be looked into*”. It was also held that “*only when a witness has been cross-examined fully, thereafter the evidence given by a witness in judicial proceeding is relevant for the purpose of proving a particular fact but if the witness has not been permitted to be cross-examined then such a statement cannot be termed as an evidence of the witness nor can it be read in evidence*”. It was further held that “*where part cross-examination took place then such a statement cannot be called evidence in the eyes of law and that under the Evidence Act, the evidence means the examination-in-chief and the cross-examination and that statement alone will form the evidence*”.

23. Therefore, it is the contention of the Party II/Employer that having failed to lead any evidence in support of the Claim Statement, the Union has failed to discharge the burden placed on them by the terms of reference and the issues framed thereunder, and the Union is therefore not entitled to any relief prayed therein.

24. Considering the facts and circumstances of the case in the present reference, this Tribunal has no other option but to accept the contention of the Party II/Employer to hold that the Party I/Union in this reference has failed to prove both the issues, the burden of which was on the Party I/Union so as to pass a favourable Order in their favour and for the grant of the relief prayed for in their Claim Statement. This being a reference matter, the entire burden to prove the schedule of reference was on the Party I/Workmen which they have failed.

Hence, the following Order.

ORDER

- i. The reference stands dismissed.
- ii. No order as to costs.
- iii. Inform the Government accordingly.

Vijayalaxmi Shivilkar, Presiding Officer, Industrial Tribunal cum Labour Court.

Panaji.

Department of Law & Judiciary

Law (Establishment) Division

Order

No. LS/1077/93-Part II/069

Date : 02-Jan-2026

Government of Goa is pleased to accept the resignation tendered by Adv. Ruchira Gupta, as Standing Counsel, before the Hon'ble Supreme Court of India, New Delhi, National Green Tribunal, New Delhi and all other Courts and Tribunals in the matters for defending the interest of Government of Goa with immediate effect.

Adv. Ruchira Gupta shall return all the briefs pending with him, if any, to the Resident Commissioner, Goa Sadan, New Delhi under intimation to this Department.

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

Gajanan X. Bhonsle, Under Secretary (Estt.), Law.

Porvorim.

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Department of Personnel**Order**

No. 7/13/2014-PER/2736

Date : 05-Sep-2025

The Governor of Goa is pleased to order transfer and posting of the following officers with immediate effect, in public interest:-

Sr. No.	Name of the Officer	Present posting	Transferred and posted as
1.	Shri Birendra Choudhary, IFS (AGMUT:2000)	Awaiting posting	Dy. Conservator of Forests, Social Forestry, Parks & Garden.
2.	Shri Ankit Kumar, IFS (AGMUT:2018)	Dy. Conservator of Forests, Wildlife and Eco Tourism (South)	Dy. Conservator of Forests (Research & Utilization).
3.	Shri Deepak Pednekar, Dy. Conservator of Forests	Awaiting posting	Dy. Conservator of Forests (Soil Conservation Division), with additional charge of Dy. Conservator of Forest (Working Plan).

Shri Santosh Kumar Reddy, IFS (AGMUT:2016), Dy. Conservator of Forests (South Division) shall hold additional charge of Dy. Conservator of Forests, Wildlife and Eco Tourism (South).

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

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

Porvorim.

Order

No. 13/25/2023-PER/3958

Date : 31-Dec-2025

The Governor of Goa is pleased to grant further extension in service to Shri. Vijay B. Saxena, Director, Directorate of Planning, Statistics and Evaluation beyond the date of his superannuation for further period

of 01 year w.e.f. 01-01-2026 to 31-12-2026, in public interest. This order is subject to Vigilance Clearance from Vigilance Department, concurrence of Finance Department and approval of Council of Ministers.

The extension is further subject to termination without assigning any reasons during the period of extension.

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

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

Porvorim.

Order

No. 7/13/2014-PER/3960

Date : 31-Dec-2025

Read: Notification No. 16/29/1/2023-Rev-I/3259 dated 31-12-2025.

Pursuant to the Notification issued by the Revenue Department read in the preamble, the following officer, shall hold the additional charge of the post mentioned in the Column No. 3, in addition to his own duties, with effect from 01-01-2026 until further orders and till further arrangements are made the officer shall continue to perform the duties from the existing office in the South Goa District.

Sr. No.	Name of the Officer posted	Additional charge
1	2	3
1.	Shri Santosh Kumar Reddy, IFS (AGMUT:2016) Deputy Conservator of Forest, South Goa Division	Deputy Conservator of Forest, Kushavati District
	Deputy Conservator of Forest, Wildlife & Eco-tourism, South	Deputy Conservator of Forest, Wildlife & Eco-tourism, Kushavati District

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

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

Porvorim.

Order

No. 5/19/2022-PER/3962

Date : 31-Dec-2025

Read: 1. Notification No. 16/29/1/2023-Rev-I/3258 dated 31-12-2025.

2. Notification No. 16/29/1/2023-Rev-I/3259 dated 31-12-2025.

Pursuant to the Notifications issued by the Revenue Department read in preamble, the following Junior Scale Officers of Goa Civil Service listed in Column (2) shall hold the additional charge of the posts mentioned in Column (3) with effect from 01-01-2026 until further orders and till further arrangements are made the officers will perform their respective duties from their existing offices in the South Goa District:-

Sr. No.	Name of the Officer	Additional charge
1	2	3
1.	Shri Deepak P. Vaingankar, Forest Settlement Officer, South	Forest Settlement Officer, Kushavati District

2.	Dr. Medora Eromilla D'Costa, Project Officer, DRDA, South	Project Officer, DRDA, Kushavati District
3.	Shri Velton Peter Tellis, Deputy Collector, South-1	Deputy Collector, Kushavati District-1
4.	Shri Prajeet Ramdas Chodankar, Deputy Collector, South-2	Deputy Collector, Kushavati District-2
5.	Shri Prasiddh Prakash Naik, Deputy Director of Panchayat, South	Deputy Director of Panchayat, Kushavati District
6.	Smt. Avelina D'sa E Pereira, Deputy Collector (DRO), South	Deputy Collector (DRO), Kushavati District
	Deputy Director, Social Welfare, South	Deputy Director, Social Welfare, Kushavati District
7.	Shri Rohan Arvind Loliyekar, Deputy Collector (Revenue), South	Deputy Collector (Revenue), Kushavati District
8.	Smt. Geeta Gaonkar, Deputy Director, Tribal Welfare, South	Deputy Director, Tribal Welfare, Kushavati District

This issues with the approval of the Goa Services Board.

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

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

Porvorim.

Order

No. 7/35/2024-PER/36

Date : 01-Jan-2026

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.

3. O. M. No. 6/31/2025-EO(MM-I) dated 11-12-2025.

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, beyond 31-12-2025 upto 17-08-2028 or until further orders, whichever is earlier.

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

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

Porvorim.

Order

No. 15/2/2023-PER/88

Date : 08-Jan-2026

On the recommendation of the Goa Public Service Commission as conveyed vide its letter No. COM/II/12/42 (1)/2013/369 dated 17-12-2025, the Governor of Goa is pleased to declare the following Officers in the cadre of Block Development Officer, to have satisfactorily completed their probation period and to confirm them in the grade as follows:-

Sr. No.	Name of Officers	Date of completion of probation period and confirmation
1.	Smt. Nimisha Sandeep Fal Dessai	22-01-2025
2.	Shri Pretesh Babu Shetye	22-01-2025
3.	Shri Prathamesh Anil Shankardas	22-01-2025

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

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

Porvorim.

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Department of Public Health

Order

No. 4/10/2002-II/PHD/Vol.II/56

Date : 06-Jan-2026

On the recommendation of the Goa Public Service Commission as conveyed vide their No. COM/II/11/30(8)/2014/322 dated 21-11-2025, Government is pleased to promote **Dr. Charan J. Phayade, Lecturer to the post of Assistant Professor in the Department of Orthopaedic Surgery (Group “A” Gazetted)** in Goa Medical College and Hospital, Bambolim on regular basis in the Level 11 of Pay Matrix (PB-3; Rs. 15600-39100/- + GP. Rs. 6600/-) and other allowance to be fixed as per rules with immediate effect.

The promotion is made against the vacancy occurred due to promotion of Dr. Milind Madan Deshpande to the post of Associate Professor in the Department of Orthopaedic Surgery in GMC vide Order No. 4/10/2002-II/PHD/Vol.I/5270 dated 01-03-2019.

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

Sitaram G. Sawal, Under Secretary (Health-I).

Porvorim.

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Department of Revenue

Order

No. 35/03/04/2025-RD/66

Date : 13-Jan-2026

In exercise of the powers conferred by Clause (a) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (Central Act 2 of 1899), as in force in the State of Goa, the Government of Goa is hereby pleased to exempt stamp duty of Rs. 48,31,200/- (Rupees Forty eight lakh thirty one thousand two hundred only) payable by the ECHO (Prathidwani), Centre for Juvenile Justice, Bengaluru, Karnataka, on the purchase of a plot admeasuring 5,368 sq. metres, bearing Survey No. 547/3, situated at Thivim Village, Bardez Taluka, for a total consideration of Rs. 8,05,20,000/- (Rupees eight crore five lakh twenty thousand only).

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

Vrushika P. Kauthankar, Under Secretary (Revenue-I).

Porvorim.

Department of River Navigation**Order**

No. RND/Work/25-26/1497

Date : 09-Jan-2026

In purchase of Clause (ZS) of sub-section 2 of the Occupational, Safety, Health and Working Conditions Code, 2020 (ACT 37 of 2020), the Government of Goa is pleased to appoint Director/HoD of the River Navigation Department for the Factory Premises known as Marine Workshop, River Navigation Department, situated at Betim, Bardez, Goa to manage the affairs of the said factory.

This issue with Government approval of Government vide U.O. No. 134 dt. 09-01-2026.

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

Vikramsinh N. Rajebhosale, Director/HOD, River Navigation.

Betim.

**Department of Women and Child Development**

Directorate of Women and Child Development

Notification

No. 2-109(22)-2024/DW&CD/8257

Date : 06-Jan-2026

The Government on recommendation of Selection Committee constituted under Juvenile Justice (Care and Protection of Children) Model Rules, 2016 (Rule 87) read with relevant provisions of Juvenile Justice (Care and Protection of Children) Act, 2015 and Juvenile Justice (Care and Protection of Children) Amendment Act, 2021 (Section 4) herewith constitutes Juvenile Justice Board, North Goa and South Goa as given below.

JUVENILE JUSTICE BOARD-NORTH GOA

Sr. No.	Name & Address	Designation
1.	Judicial Magistrate of the First Class, North Goa	Principal Magistrate
2.	Mrs. Andrea Pereira, H. No. 836, St. Agosthino Marod, Guem Bhat, Lane 2, St. Cruz, Goa, 403005	Member
3.	Adv. Chandru alias Chandan Gajanan Naik Shirodkar, H. No. 334, LPK Club lane, Bhatiwada, Nerul, Bardez, Goa, 403114	Member

JUVENILE JUSTICE BOARD-SOUTH GOA

Sr. No.	Name & Address	Designation
1.	Judicial Magistrate of the First Class, South Goa	Principal Magistrate
2.	Adv. Nishigandha Nishikant Shet, H-301, 4th floor, Sattadhar Basilos Complex, Behind Basilos gym, St. Inez, Panaji-Goa, 403001	Member
3.	Adv. Sumita Sawant Dessai, F4, A Block, Grace Emerald Plaza, Vaswaddo, Benaulim, South Goa 403716	Member

1. The tenure of Juvenile Justice Board for North Goa and South Goa shall be three years to be reckoned from the date of Notification.

2. The non-official Members are entitled to a sitting allowance as per the rules in force. There will be no separate TA/DA.

3. The Juvenile Justice Board for North Goa and the Juvenile Justice Board, South Goa shall have one day sitting every week on Thursday and Tuesday respectively which can be extended if required as per case pendency.

4. The Juvenile Justice Board, North Goa and South Goa shall have Office/sitting in the premises of the Apna Ghar, Merces, Tiswadi, Goa.

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

Jyoti Desai, Director & ex officio Lt. Secretary, Women & Child Development.

Panaji.



All Goa Fishermen's Co-op. Association Ltd.

Porvorim, Bardez-Goa

FORM-24

(See rule 111A)

Form for Declaration of Result

In pursuance of powers conferred by sub-section 6 of Section 66 of the Goa Co-op. Societies Act, 2001, I declare the result of office bearers as follows.

Election of Office Bearer of the “All Goa Fishermen's Co-op. Association Ltd., Porvorim, Bardez-Goa”.

Sr. No.	Name of the candidate	Designation	Address, contact number and e-mail ID of the candidate
1.	Mr. Mohan Hari Chodankar	Chairman	H. No. Laxm Ravalnath, 406/193, PDA Plot 122, N. H. 17, Alto Porvorim-Goa. 9326103830
2.	Mr. Gajanan Vinayak Sawant	Vice Chairman	H. No. 163, Calvim, Aldona, Bardez-Goa. 7719872508/9822149181
3.	Mr. Anil Damodar Goankar	Secretary	H. No. 75, Bandir wada, Chapora, Anjuna, Bardez-Goa. 9822585739
4.	Mr. Suresh Shiva Sawant	Treasurer	H. No. 07, Talwada, Querim, Pernem-Goa. 9767721656

Yashwant D. Naik, Authorized Person, O/o Asstt. Registrar of Co-op. Societies, North Zone.

Mapusa.

V. No. AP-3383/2026.