



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**THE GOA EMPLOYMENT (CONDITIONS OF
SERVICE) AND RETIREMENT BENEFIT
(SECOND AMENDMENT) BILL, 2003.**

(Bill No. 29 of 2003)

(As passed by the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM, GOA
OCTOBER, 2003**

THE GOA EMPLOYMENT (CONDITIONS OF SERVICE) AND RETIREMENT BENEFIT (SECOND AMENDMENT) BILL, 2003.

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A

BILL

further to amend the Goa Employment (Conditions of Service) and Retirement Benefit Act, 2001 (Act 35 of 2001).

Be it enacted by the Legislative Assembly of Goa in the Fifty-fourth Year of the Republic of India as follows:-

1. *Short title and commencement.*— (1) This Act may be called the Goa Employment (Conditions of Service) and Retirement Benefit (Second Amendment) Act, 2003.

(2) It shall be deemed to have come into force with effect from 19.9.2001.

2. *Amendment of section 1.*— In section 1 of the Goa Employment (Conditions of Service) and Retirement Benefit Act, 2001 (Act 35 of 2001)(hereinafter referred to as the "principal Act"), in sub-section (3), in the second proviso, for the words "not exceeding beyond one year from the date on which this Act shall come into force", the words " as deemed fit, and from such dates as may be specified therein" shall be substituted.

3. *Amendment of section 2.*— In section 2 of the principal Act, in sub-clause (i) of clause (n), for the words " a shop or commercial", the word "an" shall be substituted.

4. *Amendment of section 3.* — In section 3 of the principal Act,-

(i) after sub-section (1), the following sub-section shall be inserted, namely :-

"(1-A) Every employer shall ensure that every workman employed by him in any industrial establishment to which this Act applies, is issued an identity card by the authorized agency containing such details as may be notified by the Government in this behalf and the cost of the identity card shall be borne by the employer. The employer, after issue of such identity card to the workman, shall, at no time dispossess the workman of the same, either during employment or otherwise.";

(ii) after sub-section (2), the following proviso shall be inserted, namely:-

"Provided that the Government may, by notification, authorize any agency to issue such identity card to such person and the expenses towards the issuance of such identity card shall be borne by such person.";

(iii) in sub-section (3), (a) for the words and figures "sub-section (2)" the words and figures "sub-section (1-A) or sub-section (2), as the case may be," shall be substituted; (b) for the words "competent authority", the words and

figure "authorized agency or the competent authority, as case may be," shall be substituted.

5. *Amendment of section 6.*— In section 6 of the principal Act, after the words "public undertaking", the words "or if his monthly wages exceed rupees six thousand five hundred or he has completed the age of fifty years" shall be inserted.

6. *Amendment of section 8.*— In section 8 of the principal Act,-

(i) after the words "in the Official Gazette", the expression "and such employer shall also furnish to the competent authority and to such other agency as may be notified by the Government, monthly returns showing details of contribution in respect of individual workman in the prescribed form" shall be inserted;

(ii) in the second proviso, after the words "fifty years", the words "or whose monthly wages exceed rupees six thousand five hundred" shall be inserted.

7. *Insertion of new section 13B.*— After section 13-A of the principal Act, the following section shall be inserted, namely:-

"13-B *Compounding of certain offence.*—

(1) Any offence punishable under section 12 or section 13 and committed after the commencement of this Act, may, either before or after the institution of the prosecution, be compounded by such officer or authority and for such amounts as the

Government may, by notification in the Official Gazette, specify in this behalf.

(2) Where an offence is compounded under sub-section (1), no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded".
