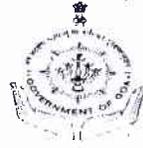


GHRC MATTER



Government of Goa
DEPARTMENT OF HOME (GENERAL)
SECRETARIAT
Porvorim -- Goa

125-1940
12/01/18
TIME BOUND

Tel.No. (0832) -- 2419450

Email: usgen-home.goa@nic.in

No:1/13/2017-HD(G)/ GHRC / 99

Dated: 08.01.2018
Pausa 18 Saka 1939

CIRCULAR

Attention is invited to the provisions of Section 18(e) & (f) of Protection of Human Rights Act, 1993 and Regulation 17 of Goa Human Rights Commission (Procedure) Regulations, 2011, the same is transcribed below:-

Section 18(e): the Commission shall send a copy of its Inquiry Report together with its recommendations to the concerned Government or authority and the concerned Government or authority shall, within a period of one month or such further time as the Commission may allow, forward its comments on the report, including the action taken or proposed to be taken thereon to the Commission.

Section 18(f): the Commission shall publish its inquiry report together with the comments of the concerned Government or authority, if any, and the action taken or proposed to be taken by the concerned Government or authority on the recommendations of the Commission.

In view of above, the Government has issued the following directions/instructions:-

GENERAL

1. The Departments/ Autonomous Bodies/ Corporations/ Offices/ Boards etc., shall appoint the Nodal Officer who shall be overall in-charge for dealing in the proceedings before the Hon. Commission and will assist the advocate to prepare and file the reply on time. The Nodal Officer or an official well conversant with matter shall attend the hearing in the Commission to know the status of the matter.
2. It is noticed that the Hon. Commission issue notices to the Chief Secretary being the Head of the Administration in number of matters which are pertaining to various departments. In such cases, it shall be the responsibility of the Concerned Secretary to ensure that there is proper representation before the Hon. Commission so as to avoid any embarrassment to the Government for non-submission of timely report and proper representation before the Hon. Commission.

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3. The Concerned Department shall take all the required steps to protect the interest of the Government. On receipt of the notice the Department shall examine the matter thoroughly and take all required steps to appoint a pleader, if required.

INITIAL STAGE

4. On the receipt of Notice from the Goa Human Rights Commission an authorized person(s)/dealing hand shall ensure that there is proper representation before the Hon. Commission on the 1st day of hearing so as to avoid any undue embarrassment to the Government.
5. It shall be ensured by the authorized officer/Government pleader that there is proper argument before the Hon Commission on the point of jurisdiction, maintainability etc., if the matter does not clearly fall within the purview of the Commission, in the very first instance.
6. In case, the Hon. Commission after hearing the preliminary objection to jurisdiction, passes an Interim Order, the Department concerned shall examine the said Order/Directions and immediately bring it to the notice of the Government whether or not order requires an immediate appeal.
7. The Concerned Department upon the opinion of Government Counsel shall refer the said Order for opinion to Law Department with respect to filing appeal before the Higher Court.
8. In case the Commission instructs the Chief Secretary to file the reply/report, it will be the sole responsibility of the concerned Department to prepare the reply/report and submit it for the approval of the Chief Secretary well in advance and thereafter submit before the Commission after it is duly approved. In case more than one Department are parties in the proceeding then the Principal Department shall prepare the reply/ report and submit it to the Hon. Commission after approval.
9. On receipt of a report/recommendation from the Goa Human Rights Commission all Heads of the Departments/Autonomous Bodies/ Corporations/ Offices/ Boards etc., shall ensure to send an advance copy to the Chief Minister/Chief Secretary/Concerned Secretary/ Concerned Minister for his perusal.
10. It shall be ensured by the concerned that the said recommendations are dealt within a stipulated time period as directed by the Goa Human Rights Commission so that no adverse orders are passed against the Government for not submitting the action taken report within the stipulated time frame.

CONCLUSION OF PROCEEDING

11. On receipt of the inquiry report/recommendation from the Goa Human Rights Commission, the Heads of Departments and other institutions shall place the Inquiry Report before the Hon'ble Minister Concerned through the Secretary for the comments/decision.
12. Each Department(s) shall ensure that the Action Taken/Action proposed to be taken in the matter shall be forwarded to the Commission within the period of 30 days. In case the matter is under submission before the Government then the authorities concerned shall ensure to seek proper extension of time before the Commission.
13. The final report/recommendation shall be placed before the Hon'ble Minister Concerned through the Secretary immediately.
14. A Group "B: Gazetted Officer shall be appointed by all Heads of the Departments/ Autonomous Bodies/ Corporations/ Offices/ Boards etc., as a Nodal Officer(s) and on receipt of this Circular, the details of the Nodal Officer(s) i.e. name, address (Residential/Official), email and contact number (Mobile/landline) etc., may be sent to this department within 15 days on the receipt of this Circular.
15. Any lapse on the part of any Officer(s)/Department(s)/Official(s) in complying with the above directions/instructions shall be viewed seriously.

This issues with the approval of the Hon' ble Chief Minister/Home Minister.

Neetal P. Amonkar
(Neetal P. Amonkar)
Under Secretary (Home-II)

Copy to:-

1. The Secretary to Chief Minister, Secretariat, Porvorim-Goa.
2. All Secretaries to Government of Goa, Secretariat, Porvorim-Goa.
3. The OSD(s)/ Additional/Joint/Under Secretaries to Government of Goa, Secretariat, Porvorim-Goa.
4. All Heads of Departments / Autonomous Bodies/ Corporations/ Offices/ Boards in the State of Goa.
5. The Director of Information & Publicity, Panaji, for necessary action.
6. Guard file.
7. O/c.