



Government of Goa  
Department of Finance (Revenue & Control)  
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File No: 12/2/2022-Fin(R&C) / 7029

Dated: 21/12/2022

**HIGH COURT MATTER**  
**MOST URGENT**

**C I R C U L A R**

The Hon'ble High Court of Bombay at Goa, vide Judgment dated 05/09/2022 in Writ Petition No.835/2017 has observed that, if the employees, whose cause the petitioners claim to espouse, were indeed appointed before the appointed date, i.e. 30.05.1987 and further, if before the appointed date, their service conditions entitled them to continue in service until they attain the age of 60 years, then, there was no justification in retiring such employees upon their reaching the age of 58 years, in the absence of compliance with the provisions of Section 60(6) of the Reorganization Act, 1987.

The Hon'ble High Court of Bombay at Goa, has directed the Appropriate Authority to examine the representations received from prematurely retired pensioners in the context of law laid down in Laxman Chavan 2020(5) MLS 428 and M. L. Patil, 2022 SCC(SC) 685..

This Department vide Order No. 12/2/2022-Fin(R&C)/1003 dated 17/11/2022 has constituted a Committee;

- a) To ascertain eligibility of the cases after verification in line with the directions given by Hon'ble High Court.
- b) To submit recommendation report to the concerned Head of Department/Head of Office and/or Director of Accounts to sanction and authorize the revision of pension and pensionary benefits accordingly.

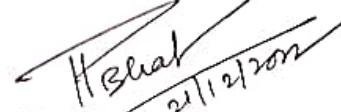
Further, the Hon'ble Court amongst other directions has ordered that, the Appropriate Authority shall examine the data available with itself to determine whether the instances of the allegedly prematurely retired employees are indeed covered by the decisions in Laxman Chavan and M. L. Patil and if so, to grant the financial benefits to them within the timeline indicated in the Judgment.

Contd on....: 2/-

All the Head of Departments being pension sanctioning authority are instructed to examine and verify the details of prematurely retired employees of their Department with respect to the date of appointment (if the pensioner was appointed prior to 30/05/1987) and was made to retire at the age of 58 years in terms of Order No. 2/6/94-PER dated 2<sup>nd</sup> July, 1999.

Thereafter, the Head of Departments shall take decision on the extension of pensionary benefits based on the entitlement as per the above mentioned criteria and sanction the revised pensionary benefit.

On extending such benefits, the Head of Departments shall forward the same to the Directorate of Accounts (Pension Section) for authorization. All Head of Departments shall submit the same by 30<sup>th</sup> December, 2022

  
(Pranab G. Bhat)

Under Secretary Finance (R&C)

Copy to:-

- 1) P.S. To Chief Secretary, Secretary to Governor.
- 2) All Secretaries to Government.
- 3) All Heads of Departments.
- 4) The Accountant General (Goa), Audit Bhavan, Porvorim.
- 5) The Director, Directorate of Accounts, Panaji.
- 6) Jt. Director of Accounts, South Branch, Margao.
- 7) The Director, Directorate of Information & Publicity, Panaji for information and necessary action.
- 8) Guard file.
- 9) Office copy.