

The Goa, Daman and Diu (Absorbed Employees) Act, 1965 (Central Act No. 50 of 1965) Published in the Government Gazette Series-I No. 43 (Supplement) dated 21-1-1966;

The Goa, Daman and Diu (Absorbed Employees) (Amendment) Act, 1989 (Goa Act No. 3 of 1989) Published in the Official Gazette Series-I No. 51 dated 23-3-1989;

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THE GOA, DAMAN AND DIU (ABSORBED EMPLOYEES) ACT, 1965

ACT No. 50 OF 1965

[22ndDecember, 1965]

An Act to provide for the regulation of the conditions of service of persons absorbed for service in connection with the administration of the Union territory of Goa, Daman and Diu and for matters connected therewith.

Be it enacted by Parliament in, the Sixteenth Year of the Republic of India as follows:

1. Short title.— This Act may be called the Goa, Daman and Diu (Absorbed Employees) Act,1965.

2.Definitions.— In this Act, unless the context otherwise requires,-

(a) absorbed employee “ means a person who immediately before the 20th day of December, 1961, was holding an absorbed post and who on and after that date either served or has been serving in that or any other post in connection with the administration of the Union territory of Goa, Daman and Diu or in any of the Departments of the Central Government;

(b) absorbed post “ means a civil service or post which existed under the former Portuguese Administration in Goa, Daman and Diu immediately before the 20th day of December 1961.

¹[(c) “Government” means Government of Goa]

3. Power to make rules regulating recruitment and conditions of service of absorbed employees and employees of certain corporations.— (1) The Central Government ² [or the Government] may make rules-

(a) for the regulation of recruitment to absorbed posts and the conditions of service of absorbed employees;

(b) for the regulation of the conditions of service of persons who were in the service of a Corporation (whether known as a junta or otherwise) immediately before the 20th day of December, 1961, and who on or after that date either served or have been serving in connection with the administration of the Union territory of Goa, Daman and Diu³ [or the State of Goa] or in any of the Departments of the Central Government

(2) Any such rule may be made so as to be retrospective to any date not earlier than the 20th day of December, 1961

Provided that no person shall, by virtue of such retrospective effect be liable to refund any amount paid to him by way of salary or allowances or pension before the making of any such rule.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament ⁴[or the State Legislature as the case may be], while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses ⁵[or the State Legislature as the case may be] agree in making any modification in the rule, or both Houses⁶[or the State Legislature as the case may be] agree that the rule should not be made, the rule shall, thereafter, have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

4. Repeal.— (1) On the making of any rule under section 3, the corresponding law, if any, in respect of any matter for which provision is made in that rule, shall stand repealed with effect from the date of the coming into force of that rule.

(2) The provisions of sections 6 and 24 of the General Clauses Act, 1897, (10 of 1987), shall apply to such repeal as if the rule and the corresponding law referred to in subsection (1) were Central Acts.

¹ Inserted by the Amendment Act 3 of 1989

² Inserted by the Amendment Act 3 of 1989

³ Inserted by the Amendment Act 3 of 1989

⁴ Inserted by the Amendment Act 3 of 1989

⁵ Inserted by the Amendment Act 3 of 1989

⁶ Inserted by the Amendment Act 3 of 1989

5. Power to remove difficulties.— If any difficulty arises in giving effect to the provisions of this Act or any rule made there under in relation to any absorbed employee or any person referred to in clause (b) of sub-section (1) of section 3, the Central Government may, by order, make such provision as appears to it to be necessary or expedient for removing the difficulty:

Provided that the power under this section shall not be exercisable after the expiration of a period of two years from the commencement of this Act.

