

BEFORE THE GOA HUMAN RIGHTS COMMISSION
PANAJI – GOA

Proceeding No.63/2023

Mrs. Surat Umesh Gaunekar,
R/o. Flat No. G1, 3-B Building,
Kurtarkar Nagari,
Shantinagar, Ponda-Goa.

... Complainant

V/s

The Director of Provedoria,
Institute of Public Assistance (Provedoria),
Mala, Panaji-Goa.

... Respondent

INQUIRY REPORT
(11th March, 2024)

The complaint dated 07/08/2023, was received from the Complainant.

2. On perusing the complaint, the Commission by Order dated 21/11/2023, called for the report from the Respondent.
3. The Respondent filed their reply on 24/01/2024.
4. The Commission heard the Complainant and Ms. Sushila Naik, Assistant Director, on behalf of the Respondent.
5. The Commission has gone through the complaint, the reply of the Respondent and the documents of the Parties.
6. The Complainant has stated that she had retired as an Accounts Clerk from the Institute of Public Assistance (Provedoria) and though she had not passed the Directorate of Accounts examination for Accountants, the Respondent be directed to clear the annual increment for the period from 01/07/2017 to 01/07/2021.
7. The Respondent filed their reply. The Respondent stated that they had framed the Recruitment Rules for filling of the post of Accountant.
8. They also stated that the Complainant was promoted as an Accountant on 12/12/2016, but she failed to pass the examination and she retired on 31/08/2021.

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9. They stated that the increment was not released as per the rules on promotion but they are ready to consider the release of increment in the previous grade prior to her promotion, i.e. in the grade of Accounts Clerk.

10. At the stage of arguments, the Complainant agreed for release of her increment and other benefits in the previous grade of Accounts Clerk prior to her promotion as an Accountant.

11. Accordingly, the Commission recommends that the Respondent release the increments due and other benefits to the Complainant in the grade of Accounts Clerk, within 60 days from today.

12. Under Section 18(e) of the Protection of Human Rights Act, 1993, the Commission shall send a copy of the Inquiry Report together with its recommendations to the concerned Government or authority and they 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, to the Commission.

13. Copy of the Inquiry Report be sent to the Respondent, calling for their comments, including the action taken or proposed to be taken within a period of 60 days or on or before 13/05/2024, in terms of Section 18(e) of the Protection of Human Rights Act, 1993.

Date : 11/03/2024

Place : Panaji-Goa.

Sd/-
(Desmond D'Costa)
Acting Chairperson/Member
Goa Human Rights Commission

Sd/-
(Pramod V. Kamat)
Member
Goa Human Rights Commission