

The Goa Transfer and Posting of Officers Bill, 2014

(Bill No. 21 of 2014)

A

BILL

to provide for the constitution of the Goa Services Board and for the matters connected therewith.

BE it enacted by the Legislative Assembly of Goa in the Sixty-fifth Year of the Republic of India, as follows:-

1. Short title, extent and commencement.— (1) This Act may be called *the Goa Transfer and Posting of Officers Act, 2014*.

(2) It extends to the whole of the State of Goa.

(3) It shall come into force at once.

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

(a) “Board” means the Goa Services Board constituted under section 3 of this Act;

(b) “Chairperson” means the Chairperson of the Board;

(c) “Competent Authority” means the Chief Minister of the State of Goa;

(d) “Government” means the Government of Goa;

(e) “member” means a member of the Board;

(f) “Official Gazette” means the Official Gazette of the Government.

3. Constitution of Board.- (1) The Government shall, by notification in the Official Gazette, constitute a Goa Services Board.

(2) The Board shall consist of,-

(a) the Minister incharge of the Department of Personnel, who shall be the Chairperson thereof;

(b) Chief Secretary;

(c) an officer not below the rank of Secretary to the Government to be nominated by the Government.

4. Functions of the Board.- (1) The Board shall,-

(a) consider and recommend the transfer and posting of officers of Goa Civil Service, Goa Police Service and officers in the cadre of Mamlatdars/Joint Mamlatdars/Assistant Directors of Civil Supplies and Block Development Officers, at regular intervals;

(b) consider and recommend the posting of such officers in ex-cadre posts, their transfer from one Department to another, or their transfer in the service of the Government;

(c) do such other things and perform such acts as necessary or expedient for the proper conduct of it's functions, and carrying into effect the purposes of this Act.

(2) Notwithstanding anything contained in any other law for the time being in force or any rules made under the proviso to Article 309 of the Constitution of India, the Government may, on it's own motion and for reasons to be recorded in writing, order transfer of such officer, from one post or Department to another and even outside the Cadre; wherever administrative exigencies so require the same:

Provided that, those officers who have service not exceeding one year remaining before superannuation, shall normally not be transferred.

5. Competent Authority.- The Recommendations of the Board shall be placed before the Competent Authority and the decision of the Competent Authority in this regard, shall be final and binding.

6. Tenure of posting.- (1) The minimum tenure of posting of officers in one post shall ordinarily be two years.

(2) The tenure of officers posted on deputation to ex-cadre posts shall be maximum of three years, but which may be extended for a further period of one year, in public interest:

Provided that the officers may be transferred or deputation period may be curtailed, as the case may be, before completion of tenure, in public interest, by recording the reasons in writing.

7. The Meetings of the Board.-(1) The Board shall meet at regular intervals, at such times and places or through circulation, as determined by the Chairperson.

(2) The Chief Secretary shall convene meetings as directed by the Chairperson of the Board.

8. Power to make rules.—The Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

Statement of Objects and Reasons

The Bill seeks to establish Goa Services Board for the purpose of considering and recommending the transfer and posting of officers of the Government and for matters connected therewith.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

Clause 8 of the Bill empowers the Government to frame rules to carry out the purposes of the Act.

This delegation is of normal character.

Porvorim-Goa.
14th August, 2014.

MANOHAR PARRIKAR
Chief Minister

Assembly Hall.
Porvorim – Goa.
14th August, 2014.

N. B. SUBHEDAR
Secretary to the Legislative
Assembly of Goa