

IN THE HIGH COURT OF BOMBAY AT GOA**WRIT PETITION No. 710 OF 2016**

1. Gomantak Mazdoor Sangh
A registered trade union
Having its office at
G-5, Machado Apartments,
Tisk, Ponda, Goa
Through its General Secretary,
Mr. Puti Gaonkar.

..... Petitioner

V e r s u s

1. State of Goa,
Through the Chief Secretary,
Secretariat, Porvorim-Goa - 403521.

2. Department of Labour,
Through its Under Secretary,
Secretariat, Porvorim – Goa - 403521.

.... Respondents

Mr. Sanjay K. Mangeshkar, Advocate for the Petitioner.
Mr. Deep Shiroadkar, Additional Government Advocate for the
Respondents.

CORAM :- F.M. REIS &
NUTAN D. SARDESSAI, JJ.

Date :- 01st AUGUST, 2016.

ORAL JUDGMENT: (PER F.M. REIS, J.)

Heard Mr. Sanjay K. Mangeshkar, the learned Counsel appearing for
the Petitioner, and Mr. Deep Shiroadkar, the learned Additional

Government Advocate appearing for the Respondents.

2. The above petition challenges the amendment to the Errata Notification dated 14.07.2016 whereby the word 'basic wages' in the earlier notification dated 23.05.2016 was corrected to 'minimum wages'. The learned Counsel appearing for the Petitioner submits that the alleged correction is misconceived as according to him, the State Government wanted to give similarly placed workmen minimum wages besides the other benefits such as dearness allowance, etc. It is further pointed out that by such correction, the concerned workmen would be deprived of such benefits which are otherwise available to them. The learned Counsel as such points out that the said notification dated 14.07.2016 deserves to be quashed and set aside.

3. On the other hand, the learned Additional Government Advocate points out that on perusal of the notification dated 23.05.2016 the title of the third column in the schedule clearly suggests that the amounts fixed therein were towards minimum rates of wages. It is further pointed out that in clause (a) of such schedule, there is apparent error to mean that such amounts would be towards basic wages. The learned Additional

Government Advocate as such points out that the error which crept up in the notification dated 23.5.2016 stands accordingly corrected in the subsequent notification dated 14.07.2016.

4. Upon hearing the learned Counsel appearing for the Petitioner and the Respondents, and on perusal of the notification 23.05.2016, we find that there was an obvious error which has been rectified by the subsequent notification dated 14.07.2016. Even on perusal of the notification dated 14.03.2013, the rates referred to therein were all inclusive rates. In such circumstances, we find that there is no merit in the above petition.

5. The petition is accordingly rejected.

NUTAN D. SARDESSAI, J.

F.M.REIS, J.

msr