

Goa (Institute Menezes Braganza) (Supplemental Provisions) Act, 1997

6 of 1998

[19 January 1998]

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Goa (Institute Menezes Braganza) (Supplemental Provisions) Act, 1997

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AN ACT to provide for supplemental provisions consequent to vesting of assets and liabilities of the Institute Vasco-da-Gama, now known as the Institute Menezes Braganza, in the Government, in pursuance of the Goa (Portaria Provincial No. 332 dated 24th November, 1871) Repeal Act, 1997 (Act No. 15 of 1997). Be it enacted by the Legislative Assembly of Goa in the Forty-eighth Year of the Republic of India as follows:-

1. Short Title And Commencement :-

- (1) This Act may be called the Goa (Institute Menezes Braganza) (Supplemental Provisions) Act, 1997.
- (2) It shall be deemed to have come into force on the 17th day of April, 1997.

2. The Objects Of This Act Are To Provide For :-

- (a) dissolution of the Managing Committee, if any, of the Institute Vasco-da-Gama, now known as Institute Menezes Braganza

(hereinafter referred to as the "said Institute");

(b) adjudication of claims, if any, and payment of compensation for any claims, from any person, who had prior to the 17th day of April, 1997 (hereinafter called as the "appointed day"), any interest in any of the assets of the said Institute;

(c) handing over of the assets, books of records and whatever properties of the said Institute, by a person presently holding such properties or records in his custody;

(d) repeal of all laws and orders whichever in existence on the appointed day governing or in any manner concerning the affairs of the said Institute.

3. Dissolution Of Managing Committee :-

On and from the appointed day, the Managing Committee or any body or association of persons, whether duly constituted or not, which had any claim for managing the affairs of the said Institute by virtue of any provisions of law or otherwise, is hereby dissolved.

4. Handing Over Of Assets And Records :-

(1) Any person who is in possession of any records or books of account or other documents or assets of the said Institute shall, within fifteen days from the date of a public notice issued by such officer of the Government as may be appointed for the purpose hand over to such officer at the place named in such notice all records or books of account or other documents or assets of the said Institute which are in his possession.

(2) Any person contravening the provisions of sub-section (1) shall, on conviction, be punished with simple imprisonment of one month or with fine which may extend to ten thousand rupees or with both.

5. Adjudication Of Claims And Liabilities :-

(1) Any person who had any claim whatsoever to any property or other asset of the said Institute on the appointed day, may make an application to such officer as may be appointed by the Government (hereinafter called the adjudicating Officer), for determination of his claim and the compensation payable therefor by the Government.

(2) Any person to whom any sum of money was due by the said Institute on the appointed day, may make an application to the adjudicating Officer referred to in sub-section (1) for settlement of his dues.

(3) The adjudicating Officer, on receipt of any application, either under sub-section (1) or sub-section (2) shall, after duly verifying the claim made by the applicant and after satisfying himself after such inquiry as he deems fit, that the person claiming had a right to make the claim, determine the amount payable by the Government as compensation to such person.

(4) Any person aggrieved by an order of the adjudicating Officer under this section, may appeal to the Administrative Tribunal constituted under the Goa Administrative Tribunal Act, 1965 (Act 6 of 1965) and the decision of the Administrative Tribunal in appeal shall be final and binding on the parties.

6. Repeal :-

Any law or order or instrument having the force of law relating to or regulating the affairs of the said Institute, is hereby repealed.

7. Effect Of Act :-

The provisions of this Act shall be supplemental to and not in derogation of the provisions of the Goa (Portaria Provincial No. 332 dated 24th November, 1871) Repeal Act, 1997 (Act No. 15 of 1997).