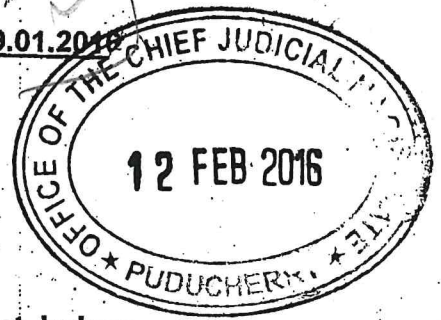




PERSONNEL AND ADMINISTRATIVE
REFORMS (FR-III) DEPARTMENT,
SECRETARIAT,
CHENNAI-600 009.

Letter No.30283 /FR-3(2)/2015 - 1, dated 19.01.2016

From
Thiru P.W.C. DAVIDAR, I.A.S.,
PRINCIPAL SECRETARY TO GOVERNMENT (Training)(i/c).



To
All Secretaries to Government, Chennai-9.
All Departments of Secretariat, Chennai-9.
All Heads of Departments including District Collectors/District Judges.
The Registrar, High Court of Madras, Chennai-104.
The Registrar, High Court of Madras(Madurai Bench), Madurai.
The Secretary, Tamil Nadu Public Service Commission, Chennai-3.
The Accountant General (A&E), Chennai-18.
The Accountant General (Audit-I), Chennai-35.
The Pay and Accounts Officer, (North), Chennai-1.
The Pay and Accounts Officer, (South), Chennai-35.
The Pay and Accounts Officer, (East), Chennai-8.
The Pay and Accounts Officer, (Secretariat), Chennai-9.
The Pay and Accounts Officer, (High Court), Chennai-104.
The Director of Treasuries and Accounts, Saidapet, Chennai-15.

Sir,

Sub: Fundamental Rules - Tamil Nadu Leave Rules - Regulation
of period of absence / Leave -Instructions - Issued.

Ref: Government Letter No.53963 / FR-III / 2000-9, Personnel
and Administrative Reforms (FR-III) Department,
dated 08.05.2003.

I am directed to state that the following instructions were issued in the
letter cited.

- (i) prompt disciplinary action should be initiated against the Government servants who do not resume duty after long absence or on leave exceeding the permissible limit under Rule 18(1) and (2) of Fundamental Rules or Rule 23(a) (ii) of the Tamil Nadu Leave Rules 1933, as the case may be, by the disciplinary authorities, following the procedure laid down in the Tamil Nadu Civil Services (Disciplinary and Appeal) Rules and to finalise the disciplinary proceedings, with utmost speed;
- (ii) in cases where the Government servants express willingness to rejoin duty, pending finalization of the disciplinary proceedings, they may be permitted to rejoin duty;
- (iii) the disciplinary authority should initiate disciplinary action against the Government servants, who have violated FR 18(1) or (2) under rule 17 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules and consider that good and sufficient reason exist for imposing any one of the penalties under rule 8 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules:

(p.t.o.)

2. Instances have come to the notice of Government that the period of absence from duty / eligible leave, without sanction by the competent authorities, from the year 1986 are referred to Government for regulation, during the year 2015, i.e. after 28 years; when the concerned individual, had already retired from service in the year 2014. In another instance, the period of absence from the year 1986 are referred to the Government, for regulation, in the year 2015, after the individual had already retired from service, in the year 2000.

3. In such cases, due to the negligence of the competent authority, who should have taken appropriate action as per existing rules / orders / instructions then and there, for his stayal away from duty or overstayal beyond the period of leave sanctioned, ended up with regulating the period of absence with pay or leave salary, based on court order, obtained by the individuals. The Rules / orders / instructions, which are issued from time to time are to be applied in the relevant cases, at the time of regulation of the absence / leave periods itself. Belated proposals sent for regulations may lead to undue further delays, due to the non-availability of relevant records, such as leave letters, Medical certificates, Medical Fitness etc., that are required, as per rules in existence, as on those days.

4. In order to curtail such instances, all the Departments, including Administrative Departments in Secretariat are directed to ensure the following instructions, without any deviation in the cases of regulating the period of absence / leave:

- (1) The Government servants shall be made aware of their leave-eligibility at the time of application of leave, as per the Tamil Nadu Leave Rules / Fundamental Rules, in force. Over-stayal of leave periods shall be avoided/ regulated immediately as per rules / orders / instructions, in force;
- (2) The eligible / admissible leave of the Government servants shall be sanctioned by the competent authority, in time, without delay; Any lapses in this regard shall be viewed seriously;
- (3) In case of non-availability of leave at the credit of Government servant, he/she shall be sanctioned 'Extraordinary Leave without pay and allowances', as per eligibility, under Rule-16 of the Tamil Nadu Leave Rules, by the competent authority, without any delay;
- (4) The concerned administrative department in the Secretariat shall be addressed for clarification in sanction of leave to Government servants, if any, without delay.
- (5) In respect of unauthorised absence, the instructions issued in the G.O. cited should be followed strictly.
- (6) The competent authority shall ensure that all the leaves availed by the Government servant, are regulated well in advance before the date of retirement, so as to avoid referring such cases to Government, after the lapse of several months / years and to avoid delay in sending pension proposals, by the Government servants.

5. The above instructions should be followed scrupulously. Any further instances of inordinate delay in regulation of leave / unauthorised absence will be viewed seriously, by the Government.

Yours faithfully,

[Signature] 19/04/2016

for PRINCIPAL SECRETARY TO GOVERNMENT
(Training)(i/c)

Copy to:-

All Officers in Personnel and Administrative Reforms Department, Chennai-9.
All Sections in Personnel and Administrative Reforms Department, Chennai-9.
The Private Secretary to Principal Secretary to Government,
Personnel and Administrative Reforms Department, Chennai-9.
SF/SC.

Copy of Government Letter No.30283/FR-3(2)/2015-1, dated 19.01.2016 along with its enclosures are communicated for information and taking necessary action.

HIGH COURT, MADRAS.

DATED: 9.02.2016

S. Amirthalingam
Assistant Registrar (Admn. I)

To

- 01.All the Registrars, High Court, Madras & Madurai Bench of Madras High Court, Madurai.
- 02.All the Principal District Judges.
- 03.All the Chief Judicial Magistrates.
- 04.The Principal Judge, City Civil Court, Chennai.
- 05.The Chief Judge, Court of Small Causes, Chennai.
- 06.The Administrator General & Official Trustee of Tamil Nadu, Chennai.
- 07.The Director, Tamil Nadu Judicial Academy, No.30(95), Malligai, P.S.K.R. Salai, R.A. Puram, Chennai -28.
- 08.The Chief Metropolitan Magistrate, Egmore, Chennai.
- 09.The Presiding Officers of Labour Courts, Chennai, Madurai, Coimbatore, Tirunelveli, Tiruchirappalli, Salem, Vellore and Cuddalore.
- 10.The Presiding Officer, Industrial Tribunal, Chennai.
- 11.The Principal Judge, Family Court, Chennai.
- 12.The Judge, Family Court, Madurai, Coimbatore, Salem & Pudukkottai.
- 13.The Presiding Officer, Special Court for EC & NDPS Act Cases, Chennai, Coimbatore, Salem, Madurai, Thanjavur & Pudukkottai.
- 14.The Sessions Judge, Special Court for Bomb Blast Cases, Chennai @ Poonamallee & Coimbatore.
- 15.The Special Judge, Special Court under TNPID Act, Chennai - 104.
- 16.The City Government Pleader, City Civil Court Buildings, Chennai.
- 17.The Sessions Judge, Mahalir Neethimandran, Chennai, Cuddalore, Coimbatore, Madurai, Perambalur, Salem, Tirunelveli and Pudukkottai.

Copy to:-

- 01.The Chief Accounts Officer, High Court, Madras & Madurai Bench of Madras High Court, Madurai.
- 02.The Librarian, High Court, Madras & Madurai Bench of Madras High Court, Madurai.
- 03.The Section Officers, "B" Section, J Section, Estt. Section, High Court, Madras
- 04.The Section Officers, "B" Section, "C" Section, J Section, Estt. Section, Madurai Bench of Madras High Court, Madurai.
- 05.The Record Keeper, A.D. Records, High Court, Madras & Madurai Bench of Madras High Court, Madurai.

Spare: + 10 Copies.

