

Tamilnadu State Council for Science and Technology

General Service Rules

1. **Title:** These rules may be called the General Service Rules of the Tamilnadu State Council for Science and Technology and they shall come into force with effect from the date of approval by the competent authority.
2. **Scope of Application:** These Rules shall apply to the holders of all the categories of posts, whether temporary or permanent under the employment of the Tamilnadu State Council for Science and Technology.
3. **Definitions :**
 - (i) **'Council'** means the Tamilnadu State Council for Science and Technology established by the Government of Tamilnadu in G.O.Ms.No.382, Education, Science and Technology Department, dated 31.3.84.
 - (ii) **'The Executive Committee'** means the Executive Committee of the Tamilnadu State Council for Science and Technology.
 - (iii) a) **'President'** means President of the Tamilnadu State Council for Science and Technology
b) **'Chairman'** means the Chairman of the Executive Committee of the Tamilnadu State Council for Science and Technology.
 - (iv) **'Member Secretary'** means the Member Secretary of the Tamilnadu State Council for Science and Technology.
 - (v) **'Employee'** means the employees of the Tamilnadu State Council for Science and Technology.
 - (vi) **'Approved candidate'** means a candidate whose name appears in a authoritative list of candidates approved by the competent authority/committee for appointment to a particular category or post. The first appointment to the various categories of posts shall be made by the respective appointing authorities only from the list of approved candidates.
 - (vii) **'Approved Probationer'** A member appointed to a service or category, who has satisfactory completed the period of his probation and awaits appointment as a full member of such service or category.
 - (viii) **Full Member :** A Full member of a service means a member of that service, who has been appointed substantively to a permanent post borne on the service thereof.
 - (ix) **Backward Classes :** 'Backward Classes' means the communities declared so, by the Government of Tamilnadu for reservation of appointment etc., and referred to under Rule 22 of the Tamilnadu State and Subordinate Service Rules.
 - (x) **Scheduled Castes and Scheduled Tribes :** Scheduled Castes and Scheduled Tribes means the communities declared so, by the Government of Tamilnadu for reservation of appointment etc., and referred to Under Rule 22 of the Tamilnadu State and Subordinate Service Rules.
4. **Special Service Rules :** The Special Service Rules shall mean the rules specially framed for the particular categories of posts or services to be applicable to them.

5. **Relation to Special Service Rules** : If any provision in these general service rules is repugnant to a provision in the Special Service Rules, the latter shall prevail over the provision in these rules in respect of that service or post.
6. **Methods of Recruitment** : Where the normal method of recruitment to any service or category is neither solely by direct recruitment and by transfer, the proportion or order which the special rules may specify for such recruitment shall be applicable only to substantive vacancies in the permanent cadre and not for the temporary and officiating vacancies.
7. **Medical Certificate of fitness** : Every employees on his / her first appointment in the Council, shall produce Medical Certificate of fitness for the post or service to which he / she is appointed from the competent Medical authority nominated by the Chairman for the purpose. The Medical Certificate of the employee should be filed along with the Service Records of the employee concerned.
8. **Date of Birth** :
 - (i) Every employee shall at the time of his / her recruitment, produce authentic evidence to provide the date of birth. The following records shall be considered as authentic evidence to prove the date of birth.
 1. S.S.L.C. Book
 2. Certificate from any recognized school, where he / she studied
 3. Certificate extract from the Birth Register issued by the local authority having jurisdiction over the place of birth
 - (ii) Alteration of Date of Birth : An application for alteration of Date of Birth will not be entertained if it is not made within a period of five years from the date of entry into service. Application received within a period of five year of entry into service, will be disposed of by the Executive Committee after causing an enquiry into the genuineness of the claim through the Revenue Department of the Government of Tamilnadu. The ultimate authority to decide whether or not to alter the Date of Birth pursuant to such an enquiry vests with the Executive Committee. The decision of the Executive Committee in this regard is final.
9. **Service Book** : Service Book in the form prescribed by the Council should be maintained for all the employees of the Council, which shall contain among other things, the particulars of the services rendered by the employees, increments earned by them, promotion or awards of punishments given to them from the date of entry up to the date of their leaving the Council. The service book shall also contain particulars of the leave availed of under the various categories of leave except Casual Leave during the service with the Council. The Member Secretary should attest the entries in the service books. Annual verification of services shall also be done at the close of the calendar year duly attested by the said official. Quinquennial attestation of the entries in the service books should be got done by the employees.
10. (a) **Qualification** : The minimum general educational qualification wherever referred to in the Special rules, shall mean the qualification prescribed for one to be eligible for admission to the Higher Secondary Courses of study in Tamilnadu.
 (b) **Qualification period of service/experience** : Wherever referred in these rules and the Special Service Rules shall mean and include the total period of service put in by an employee in the Council.
11. **Discharge and re-appointment of probationers and approved probationers** :

Probationers and approved probationers could be discharged for want of vacancies only in the following order

(i) The Probationers in the order of Juniority; and (ii) The approved probationers in the order of Juniority

12. **Members absent from duty** : The absence of a member of a service from duty, whether on leave, on foreign service or on deputation or for any other reason and whether his / her lieu in a post borne on the cadre of such service is suspended or not, shall not, if he/she is otherwise fit, render him/her ineligible in his / her turn – for re-appointment to a substantive or officiating vacancy in the category, grade or post in which he / she may be an approved candidate, as the case may be, in the same manner as if he / she had not been absent. He / she shall be entitled to all the privileges in respect of appointment, seniority, probation and appointment as full member which he / she would have enjoyed but for his /her absence subject to his / her completing satisfactorily the period of probation on his / her return.
13. **Right to be a probationer or an approved probationer in two or more services** :
Notwithstanding anything contained in Rule 12,
(a) No person shall at the same time, be a probationer or an approved probationer in more than
 - (i) One service in case, he / she is a full member of any other services;
and
 - (ii) Two services in any other case; and
14. **Foreign Service** : No employee of the Council shall be sent on deputation of foreign service except with the approval of the Executive Committee. The foreign employer and the employee concerned should observe the terms and conditions stipulated by the Executive Committee for the purpose.
15. **Reservation of appointments** : Where direct recruitment is resorted to and where the Special Rules lay down that the principle of reservation of appointments shall apply to any service or category, appointment thereto shall be made with reference to Rule 22 of the Tamilnadu State and Subordinate Service Rules as amended by Tamilnadu Government from time to time.
16. (a) **Temporary appointments** :
 - (i) Where it is necessary in the interest of the Council owing to an emergency which has arisen to fill immediately at vacancy in a post borne on the establishment of the Council and there would be undue delay in making such appointments in accordance with these rules and Special Service Rules, the appointing authority may temporarily appoint a person otherwise than in accordance with the said rules.
 - (ii) No appointment under the above rules shall ordinarily be made of a person who does not possess the requisite qualification prescribed for the post in the rules. Any person who does not possess the requisite qualification if appointed shall be replaced as soon as possible by a person possessing the requisite qualification and included in the list of approved candidate for appointment to such posts or considered by the competent authority and duly approved.
 - (iii) A person appointed under the above rule, shall not be regarded as a probationer in such posts or service or is entitled to any preferential claim for future appointment. His/her services in the said post, shall be liable to be

terminated by the appointing authority at any time without notice and without any reason being assigned.

(iv) A person appointed under the above rule shall draw only the minimum in the time scale of pay applicable to the post or his/her substantive pay, if any whichever is favourable to him/her.

16. (b) **Probationer :**

(i) **Date of commencement :** If a person having been appointed temporarily to a post for which a period of probation has been prescribed by the Special Rules is subsequently appointed to the same post on a regular basis and in accordance with the rules by the appointing authority; she /he shall commence probation from the state of such subsequent appointment or from such earlier date as the appointing authority may determine. He/she shall also be eligible to draw increments in the time scale of pay applicable to him / her from the date of commencement of his / her probation or temporary appointment, as the case may be.

(ii) **Service in higher category counting for probation :** A probationer in any category of service shall be eligible to count for probation his / her service, if any, on regular appointment in a higher category of the same service.

17. **Extension of Probation :** In the case of any probationer, the appointing authority may extend his/her probation to enable him / her to acquire the special qualification or pass special examination if any, prescribed for the post and take a decision on his/her suitability for full membership after the extended period of probation is over.

The extension of probation may also be ordered by the appointing authority, if the work and conduct of the probationer have not been adequately satisfactory and that he/she needs further experience in the said posts.

In cases, where extension of probation is ordered a condition that the probationer's increment be withheld temporarily until he/she is declared to have satisfactorily completed his/her probation shall be incorporated in the order of extension and the stoppage of increments.

18. **Termination of probation :** If the appointing authority is of the view that the work and conduct of the probationer have not been satisfactory, that the notes / memos of warnings administered to him / her have had no avail and that the probationer is found incapable of discharging the duties entrusted to him / her, the appointing authority may with reference to the materials placed on record, terminate his / her probation or the extended period of probation as the case may be.

NOTE : The decision of the appointing authority that the probationer is not suitable for full membership may be based not only on the work and conduct during the period of probation and the extended period of probation, but also till the date of decision by the appointing authority.

19. **Completion of probation :** The appointing authority, shall take timely decision on the suitability or otherwise of the probationer for full membership of the post for which he/she was selected and appointed on probation. If the appointing authority decides that a probationer is suitable for full membership, it shall as soon as possible issue an order declaring the probationer to have satisfactorily completed his / her probation. If no such order is issued within six months from the date on which he/she was eligible or such declaration, the probationer shall be deemed to have satisfactorily completed his / her probation either on the date of

completion of probation or extended period of probation as the case may be. A formal order declaring the completion of probation shall, however, be issued by the competent authority.

20. Termination of probation and removal from service.

If the appointing authority decided that the probationer is not suitable for full membership, it shall unless his probation is extended under Rule 17 or terminated under Rule 18, also remove/discharge him/her from service after giving him / her a reasonable opportunity of showing cause against the action proposed to be taken in this regard to him / her.

Besides termination of probation, if the appointing authority decides that a probationer is unfit for being kept in service of the Council, it shall frame regular charges in addition to or distinct from general inefficiency or incapacity and follow the detailed procedure required to be followed before imposing the penalty of removal or dismissal from service.

NOTE : An opportunity to show cause may be given either by the appointing authority or by such subordinate authority who is superior to the rank of probationer.

21. The Powers conferred on the appointing authority shall also be exercised by any higher authority to whom the appointing authority is administratively sub-ordinate whether directly or indirectly, in the following cases:

1. Extension of probation under Rule 17
2. Termination of probationer under Rule 18
3. Discharge / Removal of a probationer from service under Rule 20

22. Appeal against termination of probation and discharge/removal from service:

A probationer who is discharged or removal from service or whose probation is terminated shall be entitled to appeal against the said order to the authority to which an appeal lies against the order of dismissal or removal passed by the competent authority. The appeal should be preferred within 60 days from the date on which the order appealed against was received by the applicant.

23. Appointment of full members:

Approved probationers shall be appointed as full members of the service for which they are selected and appointed by the competent authority in order of vacancy arising for the same.

24. Seniority:

The seniority of a person in a service or category shall, unless he/she has been reduced to a lower rank as punishment, be determined by the rank obtained by him/her in list of approved candidates drawn up by the competent authority or other appointing authority as the case may be, subject to the rule of reservation where it applies. The date of commencement of his/her probation shall be the date on which he/she joins duty irrespective of his/her seniority.

25. Consequences of resignation:

A member of the service shall, if he/she resigns his/her appointment, forfeit not only the service rendered by him/her in the particular post held by him/her at the time of resignation, but all his/her services under the Council.

26. Military duty to count for pension:

Notwithstanding anything contained in these rules or the Special Service rules, if a member of a service in the Council is deputed for military duty, he/she shall be entitled to count the period spent on military duty for the purpose of pension, if he/she would have counted for that purpose his/her service in the Council but for his/her deputation to military duty.

27. Reduction of full members:

- (a) If the full member of any service, or category is substantively reduced to a lower service or category, he/she shall be deemed to be a full member of the latter and the permanent cadre thereof shall, if there is no vacancy in which he/she could be absorbed, be deemed to be increased by one:

Provided that against every such addition, an officiating or temporary vacancy, it any, in such lower service, or category, shall be kept unfilled and such addition shall be absorbed in the first permanent vacancy that subsequently arises in such lower service, or category as the case may be.

- (b) Appointment in place of members dismissed, removed, compulsorily retired or reduced:-

Where a person has been dismissed, removed, compulsory retired or substantively reduced from any service, class or category, no vacancy caused thereby or arising subsequently in such service, or category, shall be substantively filled to the prejudice of such person until the expiry of a period of one year from the date of such dismissal, removal, compulsory retirement or reduction or until the appeal, if any, preferred by him/her against such dismissal, removal, compulsory retirement or reduction is decided, whichever is later.

28. Relinquishment of rights by members:

Any person may, in writing, relinquish any right or privilege to which he/she may be entitled under these rules or the Special Rules if, in the opinion of the appointing authority, such relinquishment is not opposed to the interest of the Council and nothing contained in these rules or the Special Rules shall be deemed to require the recognition of any right or privilege to the extent to which it has been so relinquished.

29. Increments:

All duty in a post on a time scale of pay for increments in that time scale. A person appointed to a category/post in the Council on a time scale of pay, shall ordinarily draw increment by putting in the required service to earn the same, unless it is withheld as a measure of punishment. An increment may be withheld from a Council employee by the authority competent to do so, if his/her conduct has not been good or his/her work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments. The authority shall also expressly state in the order, whether the period for which the increment has been withheld will be inclusive or exclusive of any period spent on leave before the period of stoppage of increment is completed. If the order does not state that the withholding of increment shall have the without cumulative effect and it shall be acted upon accordingly.

In all cases of stoppage of increment with cumulative effect, the authority imposing the penalty should append a certificate in the order itself to the effect, that he has duly taken into account the effect of such stoppage of increment on pension of the individual and passed orders on that basis only.

In all cases of suspension on account of imprisonment for debt or reasons other than misconduct, the period of service preceding the suspension may be allowed to count for increment but not the actual period of suspension.

Where an Efficiency Bar is prescribed in a time scale, the increment next above the bar, shall not be given without the specific sanction of the authority empowered to without the increment.

All leave except extra-ordinary leave taken otherwise than on Medical certificate, shall count for increment in the time scale of pay applicable to the post held by the employee, when he/she proceeded on leave and would have continued in the said post but for his/her proceeding on leave. The period which should count for increment will be restricted to the period during which he/she would have actually held the post but for his/her going on leave. The appointing authority should issue a certificate specifying the period that would count for increment for such cases.

30. Reduction:

When the authority competent to impose on an employee a punishment of reduction either in the stage of the time scale of pay drawn by him/her or reducing him/her from one category of post to a lower category of post, it shall specify the period for which such punishment should be in force. If no period is specified, the order will be considered defective and it shall be remedied sue to motto by the superior authority to which the punishing authority is a direct or indirect subordinate.