



**MOST IMMEDIATE
FOR PERSONAL ATTENTION**

**Personnel & Administrative
Reforms Department
Secretariat Chennai-9**

Letter No. 40282A/K/2003-6

Dated: 24.2.2004

**From
Tmt Lakshmi Praneesh, I.A.S.,
Chief Secretary to Government**

**To
All District Collectors
All Heads of Departments
The Special Commissioner & Commissioner for
Revenue Administration, Chennai-5
The Principal Commissioner &
Commissioner of Treasuries & Accounts, Chennai-15
All Departments of Secretariat**

Sir,

Sub: Public Services - Regulation of the period of absence from duty by Government Employees / Teachers in the Secretariat / District Offices who were dismissed for participating in illegal strike from 1/2.7.2003 and reinstated as per the announcement made by the Hon'ble Chief Minister on the floor of the Tamil Nadu Legislative Assembly - Instructions - Issued.

- Ref: 1) Govt.Lr.No.40282A/K/2003-1, P&AR (K) Dept, dated 26.8.2003
2) G.O.Ms. 264, P & A R (K) Department, dated 17.11.2003
3) Govt.Lr.No:40282A/K/2003-4. P&AR (K) Dept, dated 17.12.2003
4) Govt.Lr.No.4457A/K/2003-1, P&AR (K) Dept, dated 23.12.2003
5) G.O.Ms.No.493, P&AR (K) Department, dated 31.12.2003
6) Govt.Lr.No.40282A/K/2003-5, P&AR, dated 13.1.2004
7) G.O.Ms.No:12, P&AR (K) Department, dated 11.2.2004**

In the Government letter first cited, clarifications were issued for regulating the period of absence from duty by Government employees and Teachers who

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were dismissed from service for participation in the illegal strike from 1/2.7.2003 till the date of their reinstatement in service with effect from 25.7.2003 as per the orders of the Supreme Court of India dated 24.7.2003.

2. In the Government Order second cited, the Government accepted the first batch of orders of the Panel of three judges in respect of the 2937 employees and teachers in Chennai City including the staff of the Secretariat Departments and directed that the orders be implemented with effect from 17.11.2003. In the Government letter third cited, instructions were issued for regulating the period of absence from duty from 25.7.2003 to 16.11.2003 in respect of the 2937 employees and teachers in Chennai city including the staff of the Secretariat Department.

3. In the Government Order fifth cited, the Government accepted the second batch of orders of the Panel Judges in respect of 2771 employees and Teachers in District offices and directed that the orders be implemented with effect from 31.12.2003. In the Government Letter sixth cited, instructions were issued for regulating the period of absence from duty from 2.7.2003 to 31.12.2003 in respect of the employees / Teachers in District offices.

4. Based on the announcements made by the Hon'ble Chief Minister on the floor of the Legislative Assembly on 10.2.2004, the following orders were issued in the Government Order seventh cited:-

(a) the orders awarding the punishment of dismissal / removal served on all those employees and teachers based on the orders delivered by the Panel Judges as per the direction of the Hon'ble Supreme Court of India for inducing and participating in the illegal strike from 1.7.2003 in respect of Secretariat and from 2.7.2003 in respect of Departments outside Secretariat, shall be modified as a punishment of 'stoppage of increment for four years with cumulative effect. All the dismissed employees and teachers shall be reinstated in service with immediate effect and thereafter the appropriate authority shall impose on them the punishment of stoppage of increment for four years with cumulative effect.

(b) the orders awarding the punishment of reduction in rank served on all those employees and teachers based on the orders delivered by the Panel Judges as per the direction of the Hon'ble Supreme Court of India for inducing and participating in the illegal strike from 1.7.2003 in respect of Secretariat and from 2.7.2003 in respect of Departments outside Secretariat, shall be modified as a punishment of 'stoppage of increment, for two years with cumulative effect. The appropriate authority shall issue orders canceling the orders of reduction in rank already served. Thereafter shall

impose on them the punishment of stoppage of increment for two years with cumulative effect. The cancellation of punishment of reduction in rank and the stoppage of increment shall be effective from the date of their reinstatement i.e. 17.11.2003 or 31.12.2003 as applicable to the individuals.

- (c) The orders awarding the punishment of stoppage of three increments with cumulative effect on all those employees and teachers based on the orders delivered by the Panel Judges as per the direction of the Hon'ble Supreme Court of India for inducing and participating in the illegal strike from 1.7.2003 in respect of Secretariat and from 2.7.2003 in respect of Departments outside Secretariat, shall be modified as a punishment of stoppage of increment for one year with cumulative effect.

5. Accordingly orders were issued by the authorities concerned reinstating the employees / Teachers who were dismissed / removed from service as per the orders of the Panel Judges. The Government have now issued the following instructions for regulation of the period of absence from 1/2-7-2003 to 10-2-2004 in respect of employees of Secretariat and Head of Department offices in Chennai City and from 12.7.2003 to 10.2.2004 in respect of employees / Teachers in District offices.

I. Secretariat Employees / Employees and Teachers in Head of Department Offices in Chennai City.

- (i) Regulation of the period of absence of those employees who have been under continued dismissal from July 2003 i.e. dismissal orders of Government confirmed by the Panel Judges.

From 1/2-7-03 to 24-7-03 As E.L.W.A. (since the Supreme Court has not set aside the orders of dismissal in its order dated 24/7/03 and as per the instructions already issued in Lr.No.40282AK/03-1, P&AR Dept, dated 26.8.03)

From 25.7.03 to 10.2.04 As Eligible leave other than U.E.L. on M.C.

ii) Regulation of the period of absence of those employees who have been under dismissal / suspension / dismissal ordered as per the verdict of the Panel Judges.

From 1/2-7-03 to 16-11-03

Instructions have already been issued in Lt.No 40282A/K/03-4 P&AR (K) Department, dated 17.12.2003 for regulation of the dismissal/suspension period. The same may be adopted.

From 17.11.03 to 10.2.04 As = Eligible leave other than Un Earned Leave on Medical Certificate

ii. Employees / Teachers in Districts:

(i) Regulation of the period of absence of those employees/Teachers in districts who have been under continued dismissal from July 2003 i.e. dismissal orders of Government confirmed by Panel Judges.

From 2.7.03 to 24.7.03 As =

ELWA (since the Supreme Court has not set aside the orders of dismissal of Government employees / Teachers in its order, dated 24.7.2003 and as per the instructions already issued in Lt. No. 40282A/K/2003-1, P & A R, dated 26.8.2003

From 25.7.03 to 10.2.04 As = Eligible leave other than U.E.L on Medical Certificate

ii. Regulation of the period of absence of those employees / Teachers in districts who have been under dismissal / suspension and dismissal ordered as per the verdict of the Panel Judges.

From 2.7.03 to 30.12.03

Instructions have already been issued in Lt. No. 40282A /K/2003-5, P & A R Department dated 13.1.2004 for regulation of the dismissal / suspension period. The same may be adopted.

From 31.12.03 to 10.2.04 As = Eligible leave other than U.E.L on M.C

Yours faithfully,

[Handwritten Signature]

for Chief Secretary to Government

V.S

24.3.2004

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Copy to:

The Registrar General, High Court, Chennai-104

The Registrar, Tamil Nadu Administrative Tribunal, Chennai

The Secretary, Tamil Nadu Public Service Commission, Chennai - 2

The Principal Accountant General (A&E), Chennai-18 (By name)

The Principal Accountant General (A&E), Chennai-18

The Accountant General, CAB, Chennai-9

The Accountant General, (Audit I), Chennai-18

The Accountant General, (Audit II), Chennai-18

The Pay and Accounts Officer, East, South and North, Chennai

The Pay and Accounts Officer, Secretariat, Chennai-9

SF/SC