



GOVERNMENT OF TAMIL NADU

ABSTRACT

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Fundamental Rules - Fundamental Rules 56(2) and 56(3) -
Compulsory Retirement and Voluntary Retirement - Definition
of Qualifying service - Orders - Issued.

PERSONNEL AND ADMINISTRATIVE REFORMS (F.R.III) DEPARTMENT

G.O.Ms.No. 38

Dated: 14-2-1997

Read:

- 1) G.O.Ms.No.2, Personnel & Administrative Reforms (Per-R) Department, dated 3-1-1991.
- 2) G.O.Ms.No.350, Personnel and Administrative Reforms (FR.III) Department, dated 7-10-1991.

Read also:

- 3) Government of India, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training, Letter No.1062/96.Estt.(A) dated 24-6-1996.
- 4) Accountant-General (A & E), Tamilnadu, Letter No.FMI/III/133, dated 8-7-1996.

ORDER:

According to Rule 56(2) of Fundamental Rules the appointing authority shall retire a Government servant compulsorily by giving three months notice or three months pay in lieu thereof at any time after he has attained the age of 50 years or he has completed 30 years of qualifying service. Similarly, with reference to rule 56(3) of Fundamental Rules, a Government servant who has attained the age of 50 years or who has completed 20 years of Qualifying service may retire from service voluntarily by giving notice of not less than three months to the appointing authority.

2. In G.O.Ms.No.2, Personnel and Administrative Reforms Department, Dated 3-1-1991, the term Qualifying service as applicable to F.R. 56 (2) had been defined. However, no amendment has been made to Fundamental Rules, based on the said order. The qualifying service for the purpose of Voluntary Retirement under F.R.56(3) has not been defined yet. It is therefore considered necessary that the qualifying service for Voluntary Retirement under F.R. 56(3) be defined and the definition of Qualifying service for both 56(2) and 56(3) be incorporated in the Fundamental Rules.

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3. In G.O.Ms.No.2, P. & A.R. Department, dated 3-1-1990 the Qualifying service is defined as "Permanent or Officiating service (including temporary service under emergency provisions rendered in a post included in a pensionable establishment". This is the same definition given under qualifying service in Rule-3(o) of the Tamil Nadu Pension Rules also. The Government have examined the issue and order that the same definition be made applicable for 56 (3) also.

4. This order shall take effect from the date of issue of this order. Necessary amendment to Fundamental Rules will be issued separately.

(BY ORDER OF THE GOVERNOR)

P. BASKARADOSS,
SECRETARY TO GOVERNMENT.

To
All Secretaries to Government, Chennai-9.
All Departments of Secretariat, Chennai-9.
All Heads of Departments. (including Collectors, District Judges and Magistrate (Judicial).
The Registrar of High Court, Chennai-104.
The Secretary, Tamil Nadu Public Service Commission, Chennai-2
Copy to:
The Secretary Chief Minister, Chennai-9.
The Private Secretary to Chief Secretary, Chennai-9.
All Sections in Personnel and Administrative Reforms Dept., Chennai-9.
The Personnel and Administrative Reforms (FR.IV) Dept., Chennai
All Recognised Associations.

/forwarded/by order/

P. Subramaniam
18.2.91
SECTION OFFICER

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