



GOVERNMENT OF TAMIL NADU

ABSTRACT

Fundamental Rules - Voluntary Retirement from Government Service - Government Servants working in the posts declared as scarce category - Empowering the Appointing Authority to withhold permission to Voluntary Retirement - Orders issued.

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PERSONNEL AND ADMINISTRATIVE REFORMS (FR.III) DEPARTMENT
G.O.Ms.No.201 Dated 03.11.2006

READ:

G.O.Ms.No.350, P & AR (FR-Spl.) Department, dated 07.10.1991.

ORDER:

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According to the existing scheme of voluntary retirement available to the State Government employees which is on par with Government of India pattern governed by FR. 56 (3), a Government Servant who has attained the age of 50 years or completed 20 years of qualifying service may retire from service by giving notice not less than 3 months in writing direct to the appointing authority. The notice of voluntary retirement shall be accepted by the appointing authority, subject to the satisfaction of all the conditions stipulated under FR.56 (3) (e). As per the statutory provision under proviso to Fr.56 (3) (f), the appointing authority may withhold the permission of voluntary retirement sought for by the Government Servant, if any of the conditions stipulated under FR.56 (3) (e) are not satisfied by the individual.

2)It has been brought to the notice of the Government that in G.O.(D)No.1265, H & FW Dept., Dated 18.11.2004, Medical Officers, working in certain categories of clinical (Nephrology, Neuro Surgery etc.,) Departments and Non-Clinical (Anatomy, Physiology, etc) Departments have been declared as "scarce categories" in the Tamil Nadu Medical Service in view of the public interest, since they are considered as most essential and responsible in providing health care facility to poor public who come to Government Hospital. It has therefore been suggested for amendment to the said Fundamental Rule 56 (3) to prevent the "scarce category" from going on voluntary retirement.

3)The above suggestion has been examined in detail. There is no specific provision under the existing scheme to prevent the Government Servant who holds the post declared as "scarce category" to retire voluntarily from Government Service.

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4) It has, therefore, been suggested to make a suitable provision under FR 56 (3) empowering the appointing authority to withhold the permission of voluntary retirement sought for by the Government Servant who holds the post declared as "scarce category" and whose continuation in Government service, is absolutely essential in public interest.

5) The Government, after careful consideration, have decided to incorporate a suitable provision under Fundamental Rule 56 (3) and accordingly direct that the appointing authority be empowered to withhold permission of voluntary retirement sought for by the Government Servant who holds the post declared as "scarce category" and whose continuation in Government service is absolutely essential in public interest.

6) The Administrative Departments in Secretariat shall identify the posts in all Heads of Departments under their control which have to be declared as "scarce category" for the said purpose.

7) Necessary amendment to Fundamental Rules will be issued separately.

(BY ORDER OF THE GOVERNOR)

L.K. TRIPATHY
CHIEF SECRETARY TO GOVERNMENT.

R.O.C.No.5585/2006/C2

P.Dis.No.109/2006

Copy communicated for information and taking necessary action.

HIGH COURT, MADRAS
DATED: 17.11.2006.

N. Karanahalli
SUB ASST.REGISTRAR(A/c) 1/c

TO

- 1.The Registrar General, High Court, Madras
- 2.The Registrar (Vigilance), High Court, Madras
- 3.The Registrar(Judicial),High Court, Madras
- 4.The Registrar(Administration), High Court, Madras
- 5.The Registrar(Management), High Court, Madras
- 6.The Registrar(Administration), Madurai Bench of Madras High Court at Madurai.
- 7.The Registrar(Judicial)Madurai Bench of Madras High Court at Madurai.
8. All the Principal District Judges.
9. All the Chief Judicial Magistrates.
- 10.The Principal Judge,City Civil Court, Chennai
- 11.The Chief Judge, Court of Small Causes, Chennai
- 12.The Administrator General and Official Trustee, Chennai
- 13.The Director, Tamil Nadu Judicial Academy, No.30(95), Mallig P.S.K.R. Salai, R.A. Puram, Chennai -28
- 14.The Chief Metropolitan Magistrate, Egmore, Chennai.
- 15.The Presiding Officers of Labour Courts, Chennai, Madurai, Coimbatore, Tirunelveli, Tiruchirappalli, Salem, Vellore and Cuddalore.
- 16.The Presiding Officer, Industrial Tribunal, Chennai.
- 17.The Principal Judge, Family Court, Chennai.
- 18.The Judge, Family Court, Madurai, Coimbatore & Salem.
- 19.The Presiding Officer, Special Court for EC & NDPS Act Cases, Chennai, Coimbatore, Salem, Madurai, Thanjavur and Pudukkottai.
- 20.The Sessions Judge, Special Court for Bomb Blast Cases, Poonamallee, Chennai and Coimbatore.
- 21.The Special Judge, Special Court under TNPID Act, Madras 104.
- 22.The Advocate General, High Court, Madras.
- 23.The Government Pleader, High Court, Madras
- 24.The Public Prosecutor, High Court, Madras
- 25.The City Government Pleader, Chennai.
- 26.The Secretary,The Madras High Court Retired Officers' Association,Plot No.46, Door No.2,6th Street, Sudarshan Nagar Extention, Madambakkam, Chennai.73.

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