

Tamil Nadu Village Panchayats (Payment of Arrear Claims of Officers and Employees of Panchayats) Rules, 1999

TAMILNADU

India

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Rule

TAMIL-NADU-VILLAGE-PANCHAYATS-PAYMENT-OF-ARREAR-CLAIMS of 1999

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Tamil Nadu Village Panchayats (Payment of Arrear Claims of Officers and Employees of Panchayats) Rules, 1999 Published vide Notification No. G.O. Ms. No. 224, Rural Development (C4), dated the 20th October 1999 - No. SRO A-75(a-5)/99 G.O. Ms. No. 224. - In exercise of the powers conferred by sub-section (1) of section 102 and sub-section (1) of section 242 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) and in supersession of the Rules relating to payment of arrear claim of Panchayat and Panchayat Union Council Staff, the Governor of Tamil Nadu hereby makes the following rules: -

1. Short title.

- These rules may be called the Tamil Nadu Village Panchayats (Payment of Arrear Claims of Officers and Employees of Panchayats) Rules 1999.

2. Claim of arrears of pay, allowance or increments.

- Every claim of an officer or servant of a panchayat for arrears of pay, allowance or increment of pay which has been allowed to remain in abeyance shall, before payment, be investigated by the Executive Authority or the Commissioner or the Chief Executive Officer, as the case may be, -(i) with the sanction of the concerned panchayat in the case of the claims relating to a period within two years; (ii) with the sanction of the panchayat concerned and of the Assistant Director (Panchayats) in

the case of Village Panchayat and Panchayat Union and the Inspector in the case of District Panchayat in case of the claims relating to a period exceeding two years.

3. Payment of arrear claims.

- The payment of an arrear claim specified in rule 2 shall not exceed the amount found to be actually due under the claim in respect of a period of one year immediately preceding the date of detection of the under payment. If, in any particular case, it is considered that for special reason a large concession should be granted, the Executive Authority or the Commissioner or the Secretary, as the case may be, shall obtain the sanction of the Inspector for payment of arrears for a period exceeding two years: Provided that the sanction of the Inspector shall not be necessary in respect of arrear claim up to one thousand rupees which is over one year old, but not more than three years old. Explanation. - For the purpose of this rule, the date of detection of an under-payment shall be the date on which the under-payment is detected by or brought to the Executive Authority or the Commissioner or the Secretary, as the case may be, or, if it is first detected in audit, the date of detection by the auditor. An arrear claim resulting from an order issued with retrospective effect does not arise until the order is issued and shall not, therefore, be treated as a claim allowed to remain in abeyance during the period prior to the date of the order. An order passed with retrospective effect shall, for the purpose of this explanation, be deemed to be one which, in the circumstances of the case, could not have been passed earlier or which was deliberately held over pending consideration.

4. Restriction for delegation.

- The power conferred on the panchayat in rule 2 shall not be delegated by the panchayats to the President of Village Panchayat or Chairman of the Panchayat Union Council or Chairman of District Panchayat, as the case may be.

5. Submission of audit.

- Every claim of arrear under rule 2 shall be submitted by the panchayat concerned to the next audit. In case any amount is found by the audit to have been claimed and disbursed in excess of the eligibility, the same shall be recovered from the claimant by the Panchayat concerned. (2) In case where a claim of arrear exceeds under rule 2, exceeds one lakh, the same shall be submitted for pre-audit to the competent auditor concerned.