

Tamil Nadu Municipal (Non-Centralized-Regular) Public Health Establishment Regulations, 1976

TAMILNADU

India

Tamil Nadu Municipal (Non-Centralized-Regular) Public Health Establishment Regulations, 1976

Rule

TAMIL-NADU-MUNICIPAL-NON-CENTRALIZED-REGULAR-PUBLIC-HE of 1976

- Published on 30 August 1976
- Commenced on 30 August 1976
- [This is the version of this document from 30 August 1976.]
- [Note: The original publication document is not available and this content could not be verified.]

Tamil Nadu Municipal (Non-Centralized-Regular) Public Health Establishment Regulations, 1976

1. Short title and commencement.

(a)These Regulations may be called the Tamil Nadu Municipal (Non-Centralized-Regular) Public Health Establishment Regulations, 1976.(b)These regulations shall be deemed to have come into force on. the 30th August 1976.

2. Definitions.

- In these regulations, unless there is anything repugnant in the subject or context, -(1)Appointed to the establishment. - A person is said to be 'appointed to the establishment' in accordance with these regulations or in accordance with the regulations applicable at the time, as the case maybe, if he discharges for the first time the duties of a post borne on the establishment or commences the probation;(2)Approved Candidate. - 'Approved Candidate' means a candidate whose name appears in the authoritative list of candidates selected for appointment to any category;(3)Approved Probationer. - 'Approved probationer' in a category means a member of that category who has satisfactorily completed his probation and awaits appointment as a full member of such category;(4)Backward Classes. - 'Backward Classes' means the communities mentioned in Schedule I of Part of the General Rules for the Tamil Nadu State and Subordinate Services;(5)Discharge of a member of establishment. - 'Discharge of a member of establishment' means member of establishment dispensing with his services for want of vacancy;(6)Duty. - A person is said to be on

duty as a member of the establishment: -(a)when he is performing the duties of a post borne on the establishment or is undergoing the probation,(b)when he is on joining time, or(c)when he is absent from duty during authorized holidays or on casual leave taken in accordance with the instructions regulating such leave issued by the State Government, having been on duty immediately before and immediately after such absence.(7)Executive Authority. - 'Executive Authority' means the Municipal Commissioner and shall include a Special Officer of the Municipality when there is no Municipal Council, and the Executive Authority of the Township Committee constituted under the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920).(8)Full Member. - 'Full Member' means a member who has been appointed substantively to a permanent post borne on the establishment;(9)Member of the establishment. - 'Member of the establishment' means a person who has been appointed and who has not retired or resigned, been removed or dismissed, or been discharged Otherwise than for want of vacancy. lie may be a probationer, an approved probationer, or a full member of the service;(10)Military Duty. - 'Military duty' means -(i)duty of any kind (including a course of training) involving subjection to Naval, Military or Air force Law, or(ii)duty (including a course of training) with a liability to serve overseas or in any operational area in Naval, Military or Air Force Unit or formation or under Military Munitions or stores authorities or in factories; or(iii)Whole time duty in -(a)the Civil Pioneer Force, the Madras Civil Labour Units, or the Madras Labour Units for Ceylon; or(b)the Air Raid Precaution, or any other Civil Defence Organisation specified by the Central Government; or(c)any post created for the efficient prosecution of the war of 1939-1946, or associated with the training of war technicians, if duty of such post is declared by the Central Government to be military duty.Explanation. - No duty shall be treated as military duty unless either of the following conditions is satisfied, namely: -(i)it must have been rendered with the period commencing on the 3rd September 1939 and ending with the 21st November 1948:Provided that, if it commenced on or after the 2nd April 1946, it shall not be reckoned as military duty; or(ii)it must have commenced on any date on or after the 26th October 1962;(11)Municipality: - 'Municipality' shall mean and include every Municipality and the Township committees constituted under the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) or the committees to which the provisions of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), have been extended;(12)Probationer. - 'Probationer' in the establishment means a member . of the establishment who has not completed his probation;(13)Promotion. - 'Promotion' means the appointment of a member of any category of the establishment to a higher category of the establishment;(14)Recruited direct. - A person is said to be recruited direct when he is not already a member of the Municipal Establishment;(15)Reversion - 'Reversion' shall mean the reversion of a member of a category of the establishment to a lower category for want of vacancy;(16)Scheduled Castes. - 'Scheduled Castes' means the communities mentioned and included, from time to time, in Part A of Schedule II of Part I of the General Rules of the Tamil Nadu State and Subordinate Services.Explanation. - No person who professes a religion different from Hinduism shall be deemed to be a member of a Schedule Caste;(17)Scheduled Tribes. - 'Scheduled Tribes' means the communities mentioned and such other communities included, from time to time, in Part B of Schedule II of Part I of the General Rules of the Tamil Nadu State and Subordinate Services.(18)War Service. - 'War Service' means -(a)service of any kind in a unit or formation liable for service overseas or in any operational area or in the Indian National Army (INA);(b)service in India under Military, Munitions or stores authorities, or in factories with a liability to serve overseas or in any operational area;(c)all other service involving subjection to

Naval, Military or Air Force Law;(d)a period of training with a Military unit or formation involving liability to serve overseas or in any operational areas;(e)valuable service rendered to the fighting forces in other ways, for example, by way of recruiting;(f)service in Air Raid Precaution, or any other Civil Defence Organisation specified in this behalf by the Central or State Government; and(g)any service connected with the prosecution of the war which a person was required to undertake by a competent authority under the provision of any law for the time being in force.(h)Service in any of the following: -(i)National War front Organisation;(ii)Camouflage Organisation;(iii)Special Organisation for the Production of War Supplies through small scale industries;(iv)Any post associated with the training of war technicians, if duty in such post is declared by the Central Government to be 'military duty';(v)Post of Special Constable on Coastal Patrol Duty.(vi)Survey of India, if the service was temporary and involved liability for service overseas.

3. Constitution.

(1)The establishment shall consist of the following categories: -

No. Category

1. Maternity Assistant (Maternity and Child Health)
2. Motor Mechanic
3. Laboratory Assistant
4. Field Assistant
5. Driver (Lorry, Motor, or Tractor)
6. Burial Ground Registrar
7. Fitter
8. Carpenter
9. Hammerman
10. Blacksmith
11. Sanitary Supervisor
12. Public Health Peon
13. Cleaner (Lorry, Motor or Tractor)
14. Bellow Boy
15. Ayah, Maternity and Child Health
16. Flyer

Sanitary Workers (Sweepers, Scavengers, Totties, Cart Drivers, Drain Cleaners, Tank and burial and burning ground watchman, and all other Sanitary Workers including those employed for Anti-Malaria, Anti-Filaria, Guinea Worm and Compost Schemes)

(2)Pay and allowances. - The posts shall carry the scales of pay, special pay and allowances as may be prescribed by Government, from time to time.

4. Appointment.

- Appointment to the categories specified in column (1) of the table below shall be made by the methods specified in the corresponding entry in column (2) thereof.

Category (1)	Method of Recruitment (2)
Category 5 - Driver (lorry motor or tractor)	(i) Promotion from among Cleaners, or (ii) if no qualified and suitable person is available for promotion, recruitment by transfer.
Category 11 - Sanitary Supervisor	(i) Promotion from among Sanitary Workers and Watchman, or
Category 12 - Public Health Peon	(ii) If no qualified and suitable person is available for promotion by transfer or by direct recruitment.
Category 17 - Sanitary Workers	Direct recruitment.
All other categories	(i) Direct recruitment, or (ii) by promotion by transfer from the same or any other Municipality.

Explanation. - Promotion to posts of Driver (Lorry or Motor or Tractor), Sanitary Supervisor and Public Health Peon shall be made in accordance with seniority, unless the promotion of a member has been withheld as a penalty.

5. Reservation of appointment.

- The rule of reservation of appointments in rule 22 of the General Rules for the Tamil Nadu State and Subordinate Service shall apply to appointment by direct recruitment for the posts classified under regulation 10 as superior service.

6. Appointment of woman.

- Women alone shall be appointed to the posts in the institution specially provided for them.

7. List of approved candidates.

- All first appointments to the establishment shall be made by the appointing authority from the list of approved candidates in accordance with the provisions made in the regulations. Where the candidates in such list are arranged in their order of preference, appointments shall be made in such order.

8. Appointing Authority.

(1) Subject to the provisions of clause (a) of sub-section (1) of section 13 of the Tamil Nadu Public Health Act, 1939 (Tamil Nadu Act of III 1939) and the rules made thereunder, appointment to the posts shall be made - (i) By the Executive Authority in a Municipality which has no Health Officer of its own; (ii) By the Health Officer subject to the approval of the Executive Authority as required by sub-section (2) of section 14 of the Tamil Nadu Public Health Act, 1939 (Tamil Nadu Act III of 1939) in other cases. (2) The Executive Authority shall not decline to give its approval except with the sanction of the Government. If within one month from the date on which it received the application from the Health Officer for its approval, the Executive Authority fails either to give its approvals to apply to the Government for such sanction, its approval shall be deemed to have been accorded. (3) An appeal shall lie to the Additional Director of Health Services and Family Planning, Chennai against all orders of the Health Officer or the Executive Authority, as the case may be, making appointment.

9. Qualifications as to age.

(a) No person shall be appointed to the posts specified in column (1) of the table below, if he has completed or will complete on the first day of July of the year in which the selection for appointment is made, the year of age specified in the corresponding entry in column (2) thereof: Provided that the age limit specified in column (2) shall not apply to the appointment by transfer or promotion of a person in the establishment of the Local Authority or of other local authority.

Name of Post (1)	Age Limit (should not be less than 21 years) (2)
1. Maternity Assistant (Maternity and Child Health)	40
2. Motor-Mechanic	40
3. Laboratory Assistant	26
4. Field Assistant	26
5. Driver (Lorry, Motor or Tractor)	25
6. Burial Ground Registrar	26
7. Fitter	30
8. Carpenter	30
9. Hammerman	30
10. Blacksmith	30
11. Sanitary Supervisor	26
12. Public Health Peon	26
13. Cleaner (Motor, Lorry or Tractor)	26
14. Bellow Boy	26
15. Flyer	30

The age limit shall not apply to the appointment to the post of Sanitary Supervisor or Public Health Peon of Sanitary Worker or of a Watchmen paid from contingencies, if he had entered service before he had attained the age of 26 years, or to the appointment as Sanitary Supervisor or Public Health Peon of an ex-army man or a peon or mistri who was employed in connection with Air Raid Precaution or Civil Defence scheme, as the case may be: Provided that the Sanitary Worker or a watchman appointed prior to 10-11-72 shall be eligible for promotion as Sanitary Supervisor or Public Health Peon if he has entered service before he attained the age of 25 years: Provided further that a person to be appointed to the post of Ayah (Maternity and Child Health) and Sanitary Worker should have completed 30 and 18 years of age respectively on the first day of July of the year in which the selection for appointment is made: Provided also that in the case of Scheduled Castes and Scheduled Tribes, the maximum age limit for appointment in the Public Health Establishment of local body in respect of posts mentioned in items 3,4,6 to 14 and 15 of the table is 31 years: Provided also that the persons who are demobilised from the Army, Navy or Air force and who have not completed 45 years of age in case of such demobilised persons not belonging to Scheduled Castes, Scheduled Tribes or Backward Classes, and 50 years of age in the case of demobilised persons of Scheduled Castes, Scheduled Tribes and Backward Classes shall be eligible for appointment. (b) Other Qualification: - No person shall be appointed to the post specified in column (1) of the Table below unless he possesses the qualifications specified in the corresponding entries in column (2) thereof.

Name of the Post (1)	Qualifications (2)
1. Maternity Assistant	Must possess a midwifery or an auxiliary Nurses Midwifery Diploma, and must have registered as midwife or an Auxiliary Nurse under the Tamil Nadu Nurses and Midwives Act, 1926 (Tamil Nadu Act III of 1926). Preference, however, shall be given to the candidates trained as government stipend arises.
2. Motor Mechanic	(i) Must have had experience for a period of not less than 5 years in a workshop or work place undertaking repairs to automobiles; and (ii) Must possess a licence for driving heavy transport vehicles.
3. Laboratory Assistant	(i) Must possess completed S.S.L.C; (ii) Must have a good physique, good vision and capacity for outdoor work; and (iii) Must have undergone training of not less than 3 months in the Regional Malaria Organisation at Thanjavur or Coimbatore or in the Central Malaria Laboratory attached to the office of the Additional Director of Health Service and Family Planning, Chennai.
4. Field Assistant	(i) Must have passed the III Form or VII standard; (ii) Must have good physique, clear vision and capacity for out door work; and (iii) Must have undergone the preliminary training for a period of not less than one month in the Regional Malaria Organisation at Thanjavur or Coimbatore or in the Central Malaria Laboratory attached to the office of the Additional Director of Health Service and Family Planning, Chennai.
5. Driver	(i) Good physique.

(ii) A pass in III form or VIII standard of arecognised school.

Explanation. - A recognised school shall mean aschool maintained by or opened with the sanction of theGovernment of Tamil Nadu, or to which recognition has beenaccorded by the Director of School Education under theEducational Rules of the State.

(iii) Possession of driving licence for heavytransport Vehicles.

6. Burial Ground Registrar

Must have completed S.S.L.C.

7. Fitter

Experience for a period of not less than 5 yearsin Motor Repair Works.

8. Carpenter

Must have served as Carpenter for a period ofnot less than 5 years.

9. Hammerman

A Pass in III Form or VIII Standard of arecognised school, i.e., a school maintained by or opened withthe sanction of the Government of Tamil Nadu or to whichrecognition has been accorded by the Director of SchoolEducation under the Educational Rules of the State.

Must have experience as a Hammerman in a workplace for a period of not less than one year.

10. Blacksmith

Experience for a period of not less than 5 yearsin smith work.

11. Sanitary Supervisor

A pass in III Form or VIII standard of arecognised school, i.e., a school maintained by or opened withthe sanction of the Government of Tamil Nadu or to whichrecognition has been accorded by the Director of SchoolEducation under the Educational Rules of the State.

12. Public Health Peon

13. Cleaner

(i) Good physique

(ii) A pass in III form or VIII Standard of arecognised school i.e., a School maintained by or opened withthe sanction of the Government of Tamil Nadu or to whichrecognition has been accorded by the Director of SchoolEducation under the Educational Rules of the State.

14. Bellow Boy.

A pass in III Form or VIII Standard of arecognised School, i.e., a school maintained by or opened withthe sanction of the Government of Tamil Nadu or to whichrecognition has been accorded by the Director of SchoolEducation under the Educational Rules of the State.

15. Ayah
(Maternity and Child Health).

Must be able to read and write Tamil.

16. Flyer.

(i) A pass in III Form or VIII standard of arecognised School, i.e., a School maintained by or opened withthe sanction of the Government of Tamil Nadu or to whichrecognition has been accorded by the Director of SchoolEducation under the Educational Rules of the State.

(ii) Should have undergone successfully thecourse in flaying conducted by the Animal Husbandry Departmentof the State Government.

The qualification of completed S.S.L.C. required for the post of Laboratory Assistant and Burial Ground Registrar shall mean the qualification prescribed in Schedule to G. O.No. 20, R.D. & L.A., dated 5-1-1972

10. Classification of service.

(a) Service in the post of Blacksmith and Carpenter shall be treated as superior service with effect from 11-5-53 for the purpose of contribution to the provident fund and for leave rules.

11. Probation.

(1) Every person appointed to a post in superior service shall, from the date on which he joins duty, be on probation for a total period of 2 years of duty within a continuous period of 3 years. (2) Every person appointed to a post in inferior service shall, from the date on which he joins duty, be on probation for a period of one year of duty within a continuous period of 3 years.

12. Date of commencement of probation of persons appointed or promoted temporarily.

- If a person who is appointed or promoted temporarily under regulation 25 of these regulations is subsequently appointed thereto in accordance with these regulations, it shall be open to the appointing authority to allow such person to commence his probation from the date of such appointment or promotion, or from an earlier date, such date not being earlier to the date of his first temporary appointment or promotion under regulation 25, as the appointing authority may, in his discretion, decide.

13. Duty in higher post to count for probation in lower posts.

- A probationer in any category shall be eligible to count towards his probation his duty performed on regular appointment to a higher category of the establishment, if any. Nothing contained in this regulation shall be construed as authorising the promotion of a probationer in contravention of these regulations.

14. Duty on temporary promotion to count for probation in lower post.

- A probationer in any category of the establishment who is promoted temporarily under the provisions of regulation 25 of these regulations to a higher category shall be entitled to count towards his probation, if any, in the lower category the period of duty performed by him in the higher category during which he would have held the post in the lower category but for his temporary appointment. Military duty counts for probation. - A probationer in any post who has been or may be deputed for military duty shall be entitled to count towards the period of probation in such post the period spent on military duty.

15. Completion of probation and drawal of arrears of increments.

- As soon as a probationer in any category of the establishment has completed his period of probation prescribed in the regulations, or the extended period of probation referred to in regulation 16, as the case may be, the appointing authority shall consider his suitability for full membership to the category. If the appointing authority is satisfied that the probationer is suitable for full membership, he shall pass an order declaring him to be an approved probationer. Any delay in passing orders of completion of probation shall not monetarily affect the approved probationer, and arrears of increments shall be allowed from the date of completion of probation as a matter of course subject to the following conditions, namely: -(1) that the probation would have been declared to have been satisfactorily completed from the date ordered even if the question of declaration of probation had been taken up earlier; (2) that the declaration of satisfactory completion of probation was delayed by factors which would not in any case change the date of such completion; (3) that the person whose probation is declared to have been satisfactorily completed was qualified as on the date ordered; (4) that the declaration of satisfactory completion of probation was not the result of any relaxation of the regulations. In all the cases coming under items (1) to (4) above, orders issued declaring the probation or relaxing the regulations shall include a specific provision in regard to drawal of arrears of increments.

16. Extension of probation.

- If the appointing authority is of the opinion that the probationer should continue to be on probation in order to enable him to decide upon his suitability for full membership, the appointing authority may extend his period of probation for a period not exceeding one year.

17. Termination of probation.

- If on the completion of the period of probation or the extended period of probation, as the case may be, the appointing authority is satisfied that the probationer is not suitable for full membership, he shall pass an order terminating his probation after giving the probationer a reasonable opportunity of showing cause against the proposed termination of probation.

18. Automatic completion of probation.

- A probationer in any category of the establishment shall be deemed to have completed his probation automatically unless, within a period of 6 months calculated from the date on which he completed the period of probation, or the extended period of probation, as the case may be, -(i) a communication asking him to show cause why his probation should not be terminated is served on him, or (ii) disciplinary proceedings are initiated against him for corruption or other serious misconduct and he is specifically informed in writing that the question of considering the suitability for full membership will be taken up only after the completion of the disciplinary proceedings.

19. Appeal against termination of probation.

- A probationer whose probation has been terminated shall be entitled to appeal to the Additional Director of Health Services and Family Planning, Chennai. Such appeal shall be preferred within a period of 2 months from the date on which the order of termination of probation is communicated to him: Provided that the appellate authority may, in his discretion, extend the aforesaid period beyond 2 months.

20. Right of probationers and approved probationers to re-appointment.

- A vacancy in any category shall not be filled by the appointment of a person who has not yet commenced his probation in such category, when an approved probationer or probationer therein is available for such appointment.

21. Discharge or reversion and re-appointment of probationers and approved probationers.

- Probationers and approved probationers shall be reverted or discharged for want of vacancy in the following order: -First - The probationers in the order of juniority; Second - The approved probationers in the order of juniority.

22. Appointment of full members.

- The senior-most approved probationer in a category of the establishment shall, at the earliest opportunity, be appointed as full member in a substantive vacancy existing in such category. If the substantive vacancy exists from a date prior to the date of completion of probation, he shall be appointed retrospectively as a full member from such date, provided that no person shall be appointed from a date which is earlier to the date on which he commenced probation: Provided that where a person who is on probation or who has completed his period of probation in a post is deputed for military duty, he shall be confirmed at the earliest opportunity as soon as a substantive vacancy arises in the post while he is on military duty or after his return from such duty, in preference to all persons whose date of first appointment in that post other than the appointment referred to in regulation 25 is later than his, subject in the case of person or probationer to the condition that he shall, after the completion of his military duty, undergo and satisfactorily complete such portion, if any, of the prescribed period of probation as remains after counting the period of military duty.

23. Members absent from duty.

- The absence of a member of the establishment from duty whether on leave and whether his lien in a post borne on the category of the establishment is suspended or not shall, if he is otherwise fit, render him ineligible in his turn -(a) for re-appointment to substantive or officiating vacancy in the post in which he maybe probationer or an approved probationer; (b) for promotion from lower to a

higher category in the establishment, as the case may be, in the same manner as if he had not been absent. He shall be entitled to all the privileges in respect of appointment, seniority, probation and appointment as full member which he would have enjoyed but for his absence subject to his completing satisfactorily the period of probation on his return.

24. Seniority.

- The seniority of a person appointed to any category shall be determined with reference to his rank in the list of approved candidates: Provided that the seniority of a person who has already been a member of the establishment on the date of issue of these regulations shall be determined with reference to the date of his first appointment to the establishment.

25. Temporary appointment or promotion.

(1) If owing to an emergency or for administrative reasons, it is necessary to appoint or promote a person otherwise than in accordance with these regulations, the appointing authority may, for reasons to be clearly recorded in writing, appoint or promote temporarily a person whom he considers suitable, but the person so appointed or promoted shall not be regarded as probationer in the post to which he is appointed or promoted, or be entitled to future appointment, and shall be replaced as soon as possible by a candidate qualified to hold a post under these regulations: Provided that the appointment made under this clause shall not exceed a period of one year at a time: Provided further that the prior approval of the Additional Director of Health Services and Family Planning, Chennai, shall be obtained when the period of appointment exceeds one year for which purpose the appointing authority concerned shall promptly intimate the fact to the Additional Director of Health Service and Family Planning, Chennai as soon as an unqualified candidate is appointed to a post. (2) Where it is necessary to appoint a member of the establishment against whom an enquiry into allegation of corruption or misconduct is pending, the appointing authority may appoint him temporarily pending enquiry into the charges against him. The person so appointed or promoted temporarily shall not be regarded as probationer in that category, and he shall be paid his substantive pay or the minimum in the time scale of pay applicable to the post, whichever is higher.

26. Grant of leave.

- The Health Officer shall be the authority competent to grant leave, and before granting any leave other than casual leave, he shall consult the Executive Authority: Provided that in case of a Municipality having no Health Officer, the Executive Authority shall be the authority competent to grant the leave.

27. Retirement.

- No member of the establishment other than a person belonging to the inferior service shall be retained in service after he has attained the age of 58 years. A member belonging to the inferior

service shall not be retained in service after he has attained the age of 60 years.

28. Re-employment of pensioners.

- Notwithstanding anything to the contrary in these regulations, the State Government shall have the power to re-employ any person who has retired from the service and the re-employment of such person shall not be regarded as a first appointment to the establishment nor shall it confer on him the status of a member of the establishment.

29. Maintenance of service book.

(a) A service book shall be maintained in such form and manner as may be laid down by the Government for every member of the establishment who is entitled to subscribe to the General Provident Fund, and maintained by the Municipality. (b) The appointing authority shall be responsible for the correct and up to-date maintenance of the service book, and he shall record an annual certificate of verification in the service book as early as possible after the close of the year.

30. Alteration of the date of birth.

(1) The date of birth of a member of the establishment already entered in the service book shall not be altered except with the previous sanction or under the direction of the Additional Director of Health Services and Family Planning, Chennai. (2) An application for alteration of date of birth shall be entertained if it is made within 5 years after the member has entered the service. Any application received after 5 years after entry into service shall be summarily rejected. (3) An application received for the alteration of date of birth shall be forwarded to the Revenue Department for necessary enquiry and report by an officer of the Revenue department not below the rank of Deputy Collector of the District. On receipt of the report, the Additional Director of Health Service and Family Planning, Chennai shall decide whether the alteration of date of birth may be permitted or the application may be rejected. The orders of the Additional Director of Health Service and Family Planning, Chennai shall be final. (4) The procedure laid down in clause (3) shall be followed in all cases where alteration of date of birth is proposed suo motu by the appointing authority on the basis of medical opinion in the absence of any other authoritative records.

31. Appointment in place of members dismissed, removed, compulsorily retired or reduced.

- Where a person has been dismissed, removed, compulsorily retired or substantively reduced from any category, no vacancy caused thereby arising substantively in such category shall be substantially 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 is decided, whichever is later.

32. Consequences of resignation.

- A member of the establishment shall, if he resigns his appointment, forfeits all his previous service. The re-appointment of such persons shall be treated in the same way as first appointment to the establishment by direct recruitment and the regulations governing such appointment shall apply, and on such re-appointment, he shall not be entitled to count any portion of his previous service for any benefit or concession admissible under any rule or order or regulation.

33. Application of rules applicable to Government servants.

(a) In matters in respect of which no provision has been made in these regulations, every member of the service shall be governed by the provisions of the rules applicable to Government servants of similar status and standing. (b) If doubt or difficulty arises in the application of these regulations to the members of the Public Health Establishment, then, the matter may be referred to Government, and the decision of the Government shall be final.

34. Power to relax regulations.

- Notwithstanding anything contained in these regulations, the State Government shall have power to deal with the case of any person who has served in the Municipal Establishment or any candidate or class of candidates for appointment to the Municipal Establishment in such manner as may appear to them to be just and equitable: Provided that where any such regulation is applicable in the case of any person or class of persons, the case shall not be dealt with in any manner less favourable to him or them than that provided by that regulation.