

# The Tamil Nadu Village Servants Service Rules, 1980

TAMILNADU

India

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### Rule

## THE-TAMIL-NADU-VILLAGE-SERVANTS-SERVICE-RULES-1980 of 1980

- Published on 21 January 1981
- Commenced on 21 January 1981
- [This is the version of this document from 21 January 1981.]
- [Note: The original publication document is not available and this content could not be verified.]

The Tamil Nadu Village Servants Service Rules, 1980 Published vide Notifications No. G.O. Ms. No. 141, Revenue, dated 21st January 1981 SRO B-72/ 81 In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers hereunto enabling and in supersession of the Tamil Nadu Village Officers Service Rules, 1970 and of the Tamil Nadu Village Officers (Appointed under Board's Standing Orders) Service Rules, 1978, the Governor of Tamil Nadu hereby makes the following rules:-

### 1. Short title, commencement extent and application.

(1) These rules may be called the Tamil Nadu Village Servants Service Rules, 1980. (2) They shall come into force on the date of their publication in the Tamil Nadu Government Gazette. (3) They extend to the whole of the State of Tamil Nadu. (4) They shall apply to all Village Servants - (i) appointed on or after the coming into force of these rules; (ii) appointed under the Madras Proprietary Estates' Village Service Act, 1894 (Madras Act II of 1894) or the Madras Hereditary Village Officers Act, 1895 (Madras Act III of 1895) and who continue to hold office by virtue of sub-section (3) of section 2 of the Tamil Nadu Proprietary Estates' Village Service and the Tamil Nadu Hereditary Village Officers (Repeal) Act, 1968 (Tamil Nadu Act 20 of 1968); or (iii) under the Tamil Nadu Village Officers (Appointed under the Board's Standing Orders) Service Rules, 1978; and (iv) under the Tamil Nadu Village Officers Service Rules, 1970 on the date of coming into force of these rules.

### 2. Definitions.

- In these rules, - (a) [ "Village Servant" means any person appointed as Talayari ( ), Vetti ( ), or Niringanti ( ); [Substituted by G.O.Ms., 1495, Revenue, dated 1.9.1984.] (b) "Competent authority"

means-(i)in the [Chennai] district, the Personal Assistant (General) to the Collector of [Chennai] [Substituted for 'Madras' by the City of Madras (Alteration of Name) Act, 1996.] and(ii)in other districts, the Revenue Divisional officer having jurisdiction over the revenue villages within his jurisdiction.]

### **3. Method of recruitment.**

- Appointment to the posts shall be made by direct recruitment.

### **4. Appointing authority.**

- The appointing authority for the posts shall be the Tahsildar or the Deputy Tahsildar in independent charge, within his jurisdiction.

### **5. Qualifications.**

(1)No person shall be eligible for appointment to the post of a Village Servant, unless he possesses the qualifications specified below, namely:-(i)knowledge to read and write Tamil; and(ii)knows cycling and is physically fit.(2)The appointing authority shall also take into consideration the following factors, namely:-(i)whether the applicant is a resident of the charge of village;(ii)whether the applicant is a person belonging to one of the communities included in the list of 1Backward Classes recognised by the Government of Tamil Nadu;

#### **1. Backward Classes includes Most Backward Classes and Denotified Communities also.**

(iii)whether the applicant is a person belonging to Scheduled Castes/ Scheduled Tribes; and(iv)whether the applicant is an ex-serviceman.(3)In making appointments under these rules, the appointing authority shall take into consideration the character and antecedents of the applicants.

### **6. Temporary appointments.**

- Where it is necessary in public interest to fill immediately a vacancy of a Village Servant and there would be undue delay in making such appointment in accordance with these rules, the appointing authority may temporarily appoint a person otherwise than in accordance with these rules. No such temporary appointment shall be continued except for special reasons beyond a period of three months.

### **7. Appointment in place of members dismissed or removed.**

- The temporary appointment of a Village Servant in a vacancy arising from dismissal, removal or suspension of the previous incumbent shall terminate automatically on the return of the previous incumbent to duty -(i)on the revocation of the order of dismissal or removal on appeal or revision by

the appropriate authority or by orders of a Court of Law or;(ii)on the revocation or the expiry of the period of suspension.

## **8. General qualification relating to age.**

(1)No person shall be eligible for appointment to the post of a Village Servant, unless he has completed the age of twenty-one years and has not completed the age of forty years on the date noticed as the last date for the receipt of application:Provided that in case of candidates belonging to Schedule Castes and Schedule Tribe, the upper age limit shall be forty-five years.

## **9. Appeals against the orders of appointment.**

(1)Any person aggrieved by an order of an appointment shall be entitled to appeal to the Revenue Divisional Officer having jurisdiction within one month from the date of receipt of the order appealed against:Provided that it shall be open to the appellate authority concerned to entertain an appeal beyond the time, if the appellate authority is satisfied that the delay is due to just and sufficient causes.(2)The Revenue Divisional Officer may, pending exercise of his powers under sub-rule (1), stay the execution of any order which is the subject-matter of appeal under the said rule.(3)The decision of the Revenue Divisional Officer on an appeal under sub-rule (1) shall, subject to the provisions of rule 10, be final:Provided that no order prejudicial to any person shall be passed unless such person has been given a reasonable opportunity of making his representation against such order.

## **10. Revision.**

(1)Notwithstanding anything contained in rule 9, the Collector may, of his own motion or on the application of the person aggrieved, call for and examine the records relating to any order passed by the Revenue Divisional Officer for reasons to be recorded in writing, annul, modify, reverse or remit for re-consideration such order on any of the grounds specified in sub-rule (2) below.(2)The grounds on which any order shall be annulled, modified, reversed or remitted for re-consideration shall be as follows:-(i)if the order is incorrect, or is vitiated by illegality or material irregularity or impropriety or obvious error resulting in miscarriage of justice or want of jurisdiction, or(ii)the authority concerned had failed to exercise the jurisdiction vested in it under the rules or had exceeded such jurisdiction:Provided that no order prejudicial to any person shall be passed unless such person has been given a reasonable opportunity of making his representation against such order.(3)An application for revision under this rule shall be made by the person aggrieved within three months from the date of receipt of the order sought to be revised:Provided that it shall be open to the revisionary authority to entertain a revision petition beyond time on being satisfied that the delay is due to just and sufficient cause.(4)The revisionary authority may, pending exercise of the powers of revision under this rule, stay the execution or suspend the operation of any order which is the subject-matter of revision under this rule.

## **11. Probation.**

- There shall be no probation for persons appointed to the post of a Village Servant.

## **12. Transfer.**

(1)The Village Servant may be transferred either on administrative grounds or on request amounting to mutual transfer within the district, but such transfer shall be made on valid grounds to be recorded in writing.(2)Any transfer under sub-rule (1) shall be made by the Revenue Divisional Officer within a taluk and the District Collector within the district.

## **13. Tenure of office.**

(1)A Village Servant on attaining the age of sixty years shall retire and shall not be retained in service:Provided that the Government may require a Village Servant to retire, at any time after he has completed thirty years of service, provided that the appointing authority shall give in this behalf a notice in writing to the Village Servant at least three months before the date on which he is required to retire.(2)The Village Servants are permitted to avail themselves of a maximum period of twenty days' casual leave<sup>1</sup> in a year of which not more than three days casual leave can be availed of at a time. The Village Administrative Officers are empowered to grant casual leave to the Village Servant, provided suitable alternate arrangements are made for the performance of the work.

## **1. Now, restricted to twelve days of casual leave and three days of restricted holiday.**

(3)The appointing authority may grant leave without honorarium and other allowances to Village Servants for period not exceeding six months at a time subject to a maximum of five years during the tenure and may appoint a person temporarily under rule 6, in his place during leave vacancy.

## **14. [ Amount to be paid on retirement. [Substituted by GO. Ms. No.1495, Revenue, dated 1.9.1984.]**

(1)Every person who ceases to hold the post of part-time Village Servant by reason of sub-rule (i) of rule 13, shall be paid an amount for the total service put in by him as part-time Village Servant and such amount shall be determined in accordance with the provision of sub-rule (2).(2)The amount referred to in sub-rule (1) shall be calculated at the rate of one-half of the monthly emoluments for every year of total service put in by the person referred to in sub-rule (1).Explanation. - For the purpose of this rule,-(a)Where the total service,-(i)includes a period which is a portion of a year; or(ii)is a period less than a year, the amount payable for the period referred to in sub-clause (i) or (ii), as the case may be, shall be an amount bearing to the amount payable for one year of total service, the same portion as the said period bears to a period of one year of total service;(b)"monthly emoluments" shall mean-(i)Honorarium;(ii)Panchayat Development Allowance, which were payable to the part-time Village Servant for the whole of the calendar month immediately proceeding the

date of his retirement, and(iii)an amount equal to one-twelfth of the consolidated annual travelling allowance for the year ending with the 31st March of the year of retirement:Provided that where the part-time Village Servant was on leave other than casual leave or was absent without authorisation, or was under suspension, during the whole or part of the month proceeding his retirement, the monthly emoluments shall mean,-(i)Honorarium; and(ii)Panchayat Development Allowance, which would have been payable to him for the whole of the said month preceding his retirement, but for such leave, absence or suspension; and(iii)an amount equal to one twelfth of the consolidated annual travelling allowance for the year ending with the 31st March of the year of retirement;(c)"total service" shall not include any period during which a part-time Village Servant was-(i)on leave other than casual leave, or(ii)absent without authorisation, or(iii)under suspension.(3)(a)The competent authority shall, on an application made, determine by an order in writing the amount to be paid under sub-rule (1) and such order shall, subject to an appeal under sub-rule (6), be final;(b)(i)The application referred to in clause (a) shall be made by the person, referred to in sub-rule (1), or in the event of death of such person by his legal heir or heirs, in Form-A. It shall be made in duplicate and sent to the competent authority within sixty days from the date of retirement of the person referred to in sub-rule (1):Provided that the competent authority may, for just and sufficient cause, condone any delay in this regard.(ii)On receipt of the application under clause (a), the competent authority shall forward one copy of the application to the Tahsildar concerned and obtain his report regarding the correctness of the particulars furnished in the application. The Tahsildar shall send this report to the competent authority within thirty days from the date of receipt of the application from the competent authority. Where records are not readily available to certify the correctness of the particulars furnished in the application, the Tahsildar shall make a through search for such records, make necessary enquires in his office or elsewhere and send the report to the competent authority within sixty days from the date of receipt of the application from the competent authority.(4)Determination of amount by competent authority. - (i) On receipt of the report from the Tahsildar, the competent authority shall determine the amount payable under this rule after taking into account, the total service put in by the Part-time Village Servant;(ii)the competent authority shall, after arriving at the amount under sub-rule (1), issue a notice in Form B to the part-time Village Servant or his legal heir/ heirs;(iii)after considering the representation, if any, of the part -time Village Servant or his legal heir/ heirs, the competent authority shall pass an order determining the amount in Form C.(5)Payment of amount. - Based on the order of the competent authority determining the amount payable under this rule, the Tahsildar concerned shall, cause the amount to be paid within a period of three months-(a)in case where there is no appeal, from the date of the order of the competent authority under sub-rule (4);(b)in case where there is appeal, from the date of the order of the District Collector under sub-rule (6).(6)Appeal to District Collector. - (i) Any person aggrieved by the order of the competent authority passed under sub-rule (4) determining the amount payable under this rule, may prefer an appeal to the District Collector concerned enclosing a copy of the order appealed against, within thirty days from the date of receipt of the order of the competent authority.(ii)On receipt of the appeal under clause (i), the District Collector shall call for a report and connected records from the competent authority and, after giving a reasonable opportunity of being heard to the appellant, pass an order on the appeal.(7)The order passed by the District Collector under sub-rule (6) shall be final.]

**15. [ Resignation. [Rule 15 was renumbered as Rule 18 and Rules 15, 16 and 17 were added by G.O. Ms. No. 1495, Revenue, dated 1.9.1984.]**

(1)A Village Servant may resign the post by submitting his resignation to the appointing authority.(2)The resignation shall take effect on acceptance thereof by the appointing authority and it shall not, thereafter, be withdrawn.

**16. Fundamental Rules and the Tamil Nadu Leave Rules, 1978, etc., not to apply.**

(1)The provisions of the Fundamental Rules and the Tamil Nadu Leave Rules, 1978, shall not apply to the Village Servants.(2)The posts are non-pensionable.

**17. Residence.**

- The Village Servant shall reside in the village under his charge.]

**18. [] [Rule 15 was renumbered as Rule 18.] Rules not to apply to certain persons referred to in sub-rule (1) of rule 5.**

- Nothing contained in these rules shall adversely affect a person holding the post on the date of coming into force of these rules.  
Form A[See Rule 14(3) (a)]Application (In Duplicate) for Payment of Amount

**1. (a) Name of the applicant and his present/ permanent address.**

(b)If the applicant is a legal heir, name of the erstwhile part-time Village Officer.

**2. Designation of the part-time post held previously. (Village Headman or Additional Village Headman Kamam or Additional Kamam/ Triune Officer) with particulars of name of the village and taluk.**

**3. Date from which the applicant/ erstwhile part-time Village Officer was holding the post.**

**4. Total service rendered in the post excluding the period on leave other than casual leave or absent without authorisation or under suspension. (Year, month and date to be correctly specified.)**

**5. Total amount of monthly emoluments (including honorarium, Panchayat Development Allowance and one twelfth of the consolidated annual travelling allowance) for the year ending 31st March 1980.**

**6. Amount of half monthly total emoluments claimed as per the Act.**

I hereby certify that the particulars furnished above are true to the best of my knowledge. I request that the amount specified in column (8) may be sanctioned and paid to me. Station: Date: Signature of Applicant. Form B [See Rule 4(2)] Notice Pursuant to section 5 of the Tamil Nadu Abolition of Posts of Part-time Village Officers Act, 1981 (Tamil Nadu Act 3 of 1981), it is proposed to make payment of a sum of Rs as indicated below to Thiru ..... erstwhile Village Headman/ Karnam/ Triune Officer of ..... village.

- |   |           |
|---|-----------|
| 1. Total service put in by the erstwhile Village Headman/ Karnam/ Triune Officer (in number of years and portion thereof) |           |
| 2. Monthly emoluments of the erstwhile Village Headman/ Karnam/ Triune Officer  | Rs.<br>P. |
| (i) Honorarium.   |           |
| (ii) Panchayat Development Allowance.   |           |
| (iii) One-twelfth of the consolidated annual travelling allowance.  |           |
| Total   |           |

3. Amount due to the erstwhile Village Servant.

(Rupees ..... (in words) Please take notice that the application for payment of amount has been posted for hearing on (day) at A.M./ P.M. before the ..... (Competent authority). You are requested to appear before the ..... (Competent authority) on that date, time and place, either in person or through your authorised representative, with all documentary evidence in support of your' claim. If you do not appear in person or authorised representative on your behalf, it shall be presumed that you have no representation to make and orders will be passed on the merits of the case. Competent authority. To Erstwhile Village Headman/ Kamam/ Triune Officer. Address: (By registered post with acknowledgment due) Form C [See Rule 14(4) (iii)] Proceedings of the Competent Authority [Under section 5(3) of the Tamil Nadu Abolition of Posts of Part-time Village Officers Act, 1981] R. Dis. No. .... dated ..... Present: ..... Designation: ..... Subject: Village Officers ..... District ..... Taluk. Village Part-time Village Officers - Retired on attaining the age of sixty years - Payment of amount under rule 14(1) of the Tamil Nadu Village Servants Service Rules-sanctioned. Reference: (1) Application, dated from Thiru ..... (2) Letter No. .... dated of the Tahsildar In his application first cited, Thiru ..... Son of ..... Part-time Village Servant ..... Village ..... Taluk has applied for payment of Rupees ..... under rule 14(1) of the Tamil Nadu Village Servants Service Rules, 1980. From the report of the Tahsildar ..... second cited, it is seen that he is the person/ legal heir to the person, who has ceased to hold the post of Part-time Village Servant by reason of his retirement under rule 13 of the said rules. The erstwhile Part-time Village Servant had actually put in ..... years of service

excluding the period of leave, other than casual leave, absence without authorisation and under suspension. Accordingly, the applicant/ erstwhile Village Servant is entitled for payment of Rs.....(in words). In the circumstances, under rule 14(4) of the Tamil Nadu Village Servants Rules, 1980, I hereby sanction Rs. - ..... (Rupees ..... ) to Thiru..... erstwhile Village Servant of.....Village. The applicant is further informed that if the amount sanctioned is afterwards found to be in excess of that to which he is entitled under the rules, he shall be called upon to refund such excess.

**2. The expenditure will be debited to the following Head of Account:-**

"253. A. District Administration - A.B. Other Establishment-I. Non-plan-AD. Ryotwari Village Services - 26. Other charges -7. Payment of amount under the Tamil Nadu Village Servants Service Rules, 1980. (D.P. Code 253A ABAD 2677)"

**3. The Tahsildar,.....Taluk, is directed to draw the amount and send it to the applicant by Demand Draft within a month on proper acknowledgment and file the receipt for payment.**

Competent Authority. To Thiru ..... Erstwhile Village Servant. Address : ..... By Registered Post Copy to the Tahsildar concerned taluk for claim and payment. Copy to the Sub-Treasury Officer concerned. Copy to Bills.