

The Tamil Nadu Village Servants (Classification, Control and Appeal) Rules, 1983

TAMILNADU

India

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Rule

THE-TAMIL-NADU-VILLAGE-SERVANTS-CLASSIFICATION-CONTROL of 1983

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The Tamil Nadu Village Servants (Classification, Control and Appeal) Rules, 1983Published vide Notification No. G.O. Ms. No. 1131, Revenue, dated 24th June 1983In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and all other powers hereunto enabling and in supersession of the Tamil Nadu Village Officers (Classification,Control and Appeal) Rules, 1970, the Governor of Tamil Nadu hereby makes the. following rules:-

1. Short title and application.

(1)These rules may be called the Tamil Nadu Village Servants (Classification, Control and Appeal) Rules, 1983.(2)They shall apply to all Village Servants in the State of Tamil Nadu.

2. Tamil Nadu Civil Services (Classification, Control and Appeal) Rules to apply.

- The Tamil Nadu Civil Services (Classification, Control and Appeal) Rules shall apply to the Village Servants subject to the modifications specified in the following rules.

3. Penalties.

- The following penalties may be imposed for misconduct, neglect of duty, non-residence in the village or for any other sufficient cause on the Village Servants, namely:-(i)Fine;(i)Removal from service;(iii)Dismissal from service;(iv)Suspension.

4. Procedure to be followed in respect of suspension.

- In every case where it is proposed to impose on a Village Servant the penalty of suspension, the procedure laid down in rule 17 (a) of the Tamil Nadu Civil Services (Classification, Control and Appeal) Rules shall be followed.

5. Authority competent to impose penalty.

- The penalties specified in column (1) of the Table below may be imposed on the Village Servants by the authorities specified in the corresponding entry in column (2) thereof. The authorities to whom an appeal lies are specified in column (3) of the Table.

Penalties	Authority which may impose the penalty	Authority to whom an appeal lies
Fine not exceeding Rs. 20 or suspension.	Tahsildar	Revenue Divisional Officer
Removal from service or dismissal from service.		

Explanation. - For the purpose of these rules "Revenue Divisional Officer" includes the Estate Manager in the cadre of Deputy Collectors and the Personal Assistant (General) to the Collector of Nilgiris in respect of Coonor and Uthangamandalam taluks and "Tahsildar" includes the Estate Manager in the cadre of Tahsildar.

6. Appeal.

(1) An appeal under rule 5 shall be filed by the aggrieved person to the Revenue Divisional Officer within thirty days from the date of the receipt of the order appealed against; provided that it shall be open to the Revenue Divisional Officer to entertain an appeal beyond time, if he is satisfied that the delay is due to just and sufficient cause. (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.

7. Revision.

(1) Notwithstanding anything contained in rule 5, the Revenue Divisional Officer may, of his own motion, call for and examine the records relating to any order passed by the Tahsildar and for reasons to be recorded in writing confirm, reduce, enhance or set aside the penalty imposed by the order, or impose any penalty where no penalty has been imposed or remit for re-consideration such order on any of the grounds specified in sub-rule (3). (2) Notwithstanding anything contained in rule 5, 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 and for reasons to be recorded in writing, confirm, reduce, enhance or set aside the penalty imposed by the order, or impose any penalty where no penalty has been imposed, or remit for re-consideration such order on any of the grounds specified in sub-rule (3). (3) The grounds on which any order shall be confirmed, reduced, enhanced, set aside or remitted for re-consideration or any penalty shall be imposed where no penalty has been imposed, shall be as follows:-(i) 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;(ii)the authority concerned failed to exercise the jurisdiction under these rules or had exceeded his jurisdiction;(iii)the punishment imposed is excessive or inadequate:Provided that no order enhancing the punishment shall be passed on any application for revision:Provided further 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:Provided also that no application for revision shall be made by any person aggrieved by any order passed on appeal under rule 6 against the order imposing fine as a penalty.(4)An application for revision under this rule shall be made by the person aggrieved within two 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.(5)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.