

Tamil Nadu Town Panchayat Office Assistants and Menials (Leave) Rules, 1988

TAMILNADU

India

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Rule

TAMIL-NADU-TOWN-PANCHAYAT-OFFICE-ASSISTANTS-AND-MENIALS of 1988

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1. Short title.

- These rules may be called the Tamil Nadu Town Panchayat Office Assistants and Menials (Leave) Rules, 1988.

2. Application.

- These rules shall apply to all Office Assistants and Menials paid from contingencies in the employment of a town panchayat.

3. Definition.

(1) Office Assistant of the Town Panchayat referred to herein shall mean and include all services in the appointments specified in the Tamil Nadu Town Panchayat Establishment (Qualification and Recruitment of Basic Servants) Rules, 1988, who are borne on a regular time scale of pay. (2) The "Menials" of the Town Panchayat referred to herein shall mean and include all full time services in the following appointments which are not borne on a regular time scale of pay but on fixed pay at the prevailing market rates:

- 1. Avenue cooly.**
- 2. Gardener.**
- 3. Waterman-cum cleaner**
- 4. Siren Operator.**
- 5. Sweeper-cum-Scavenger**
- 6. Radio Operator.**
- 7. Pump Operator.**
- 8. Sweeper.**
- 9. Cess Pool Cleaner.**
- 10. Lighter**
- 11. Masalchis.**
- 12. Watchman.**
- 13. Cooly.**
- 14. Reading Room Attender.**
- 15. Mazdoor.**
- 16. Tank Watchman.**
- 17. Market Watchman.**
- 18. Filarial Mazdoor.**
- 19. Malaria Warden.**

20. Cholera Mazdoor.

4. Admissibility of leave to Office Assistants.

- Office Assistants may be granted leave and leave allowances:(i)as provided for in the Fundamental Rules in the case of persons who entered service prior to the 4th September, 1933; and(ii)as provided for in the Tamil Nadu Leave Rules, 1933 in the case of persons who entered service on or after the 4th September, 1933.

5. Admissibility of leave to a menial.

- (i) Town Panchayat Servant classified as a menial earns leave on full pay at the rate of one twenty second of the period of which he has spent on duty provided that he shall cease to earn leave while he has to his credit such leave amounting to fifteen days.(ii)A menial may be granted in each year of service calculated from the 1st April to the 31st March leave on half pay for a period not exceeding one month subject to the production of a medical certificate granted by a registered medical practitioner.Explanation. - In this sub-rule "service" includes periods spent on leave under this rule. They shall not be eligible to the grant of any leave from the date of their retirement on completion of service:Provided that the leave admissible under sub-rule (ii) which has not been taken by a menial within the year as specified therein shall lapse.

6. Authority to grant leave.

- The executive authority of the Town Panchayat concerned is the authority competent to sanction the leave to the office assistant and menial under these rules.

7. Proportionate Leave.

- In the case of menials of less than one year's service leave under rule 5 may be granted only to the extent earned by active service i.e, in the proportion which his active service bears to the full active service prescribed for a complete year.

8. Combination of Leave.

- The two kinds of leave specified in rule 5 may be granted in combination.

9. Special Casual Leave.

- Menial servants shall not be entitled to ordinary casual leave but may be granted special casual leave when temporarily incapacitated on account of plague, cholera or typhoid inoculation at the rate of two days for plague inoculation and one day for cholera or typhoid inoculation.

10. Maternity Leave.

- Women menial servants may in addition to the leave specified in rules 5 and 9 be granted maternity leave on full pay for a period not exceeding three months in respect of each confinement. Such leave may be granted in combination with any other kind of leave admissible under rule 5. The sanctioning authority may before granting the maternity leave, require the servant to furnish a medical certificate granted by a registered medical practitioner regarding the state of her health necessitating such leave.

11. Maintenance of Leave Account.

- The Executive Officer shall maintain a leave account in respect of each Office Assistant and menials in regard to the leave earned by and granted to him or her under these rules.

Part I – Annexure

Casual Leave.-Regulations-Ordinary Casual Leave. - (1) Office Assistants may be granted casual leave up to a maximum of 12 days in all in the course of one calendar year. Casual leave may be combined with Sundays and authorised holidays, provided that the resulting period of absence from duty does not exceed ten days. These servants will not be entitled to any casual leave as a matter of course.(2)A register of casual leave shall be maintained in every office under the control of the Panchayat.(3)Office Assistant in the works establishments may be granted casual leave whenever they are prevented by illness from attending to their work. Such leave may be on full pay or on reduced wages.(4)During casual leave a servant is entitled to pay as though he were on duty except as provided for in Regulation 3.(5)(a)Special casual leave not against ordinary casual leave may be granted to an Office Assistant in the following circumstances:(i)when he is detained in a plague camp on the way to join duty:(ii)When he is directed by the head of his office to absent himself from duty in consequence of the presence of infectious disease in his house:Provided that arrangements for conduct of his duties can be made without extra expense to the Town Panchayat or that the special sanction of the town panchayat is obtained in cases in which a substitute is employed in the place of the absentee, without prejudice to his pay:Provided further that if the servant himself contracts the infection the period of his absence shall be debited to the account maintained under rule 11.(iii)When he has to proceed for anti-rabic treatment to the nearest treatment centre.Explanation. - The period of casual leave granted to a servant for antirabic treatment should not exceed fifteen days plus the time required to go and return from the nearest treatment centre. If the absence of the servant makes it necessary for a substitute to be appointed during this period the period of absence may with the sanction of the town panchayat be treated as extra leave on average pay or earned leave, as the case may be not debitable to the leave account maintained under rule 9 and not involving the usual condition that there should be no extra expense to the Town Panchayat. Any other leave required shall be debited to the leave account maintained under rule 11.(iv)(a)In the cases falling under clauses (i) and (ii) when the absence from duty exceeds the period which may in the opinion of the Executive Officer be reasonably treated as casual leave the entire period of absence shall be treated as regular leave, if any debitable to the leave account maintained under rule

11 with leave salary as may be due to him and thereafter as extraordinary leave.(b)Special casual leave not counting against ordinary casual leave may also be granted to Office Assistant who is temporarily incapacitated on account of plague, cholera or typhoid inoculations at the rate of two days for plague inoculation and one day for cholera or typhoid inoculation.(c)Casual leave cannot ordinarily be taken in combination with any other leave, vacation or joining time. The Executive Officer may, however, sanction such combination in special cases provided there is no evasion of rules as for instance, when a servant who is obliged to be absent owing to the prevalence of infectious disease in his house and granted special casual leave, himself contracts illness and has to be granted regular leave in continuation.Explanation. - Under rule 5(i) a menial earns leave on full pay at the rate of 1/22nd of the period he has spent on duty. The leave earned shall be calculated at any day for every 22 days of duty and fractions of a day in such calculation shall be carried over.(6)A certificate given by a member of the Public Health Department, i.e., Sanitary Inspector in the case of a person suffering from notified infectious diseases, maybe accepted for the purpose of granting leave under rule 5(i).(7)Menials are not eligible for casual leave except the special casual leave mentioned in rule 9 of these rules. As there is no provision in these rules for the grant of extraordinary leave or leave on loss of pay, the absence of a menial from duty except on leave authorised in these Rules will operate as a break in service. The Executive Officer of Town Panchayat may condone such breaks in service for purpose of leave, bonus funds and gratuity if good and sufficient reasons are shown.(8)The leave account of menial servants shall be maintained as in the form below:Leave account of menial servants:Name of the menial servantDesignation.Service number.Range.Date of birth.Date of commencement of service.Date of retirement

Part I – Leave on full Pay Account

Duty		Leave Earned Leave		Leave taken				
From	To	Period in days		1/22nd of Column (3)	credit Columns (4) (8)	From	To	Period in days
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	

Part I – Medical Leave Account

Dates		Leave on half pay on medical certificate			
From	To	Period in days		Balance at credit towards one month per year	
(1)	(2)	(3)	(4)	(5)	(6)

Explanation I. - The entry in column (4) shall be limited to a maximum of 15 days.Explanation II. - The leave in the balance column (1) shall lapse at the end of the year.Explanation III. - Entries relating to maternity leave without allowances and break in service shall be written across the page in red ink as occasion arises.

9. (i) Candidates deputed by local bodies for training as nursing orderlies in Government Hospitals may be granted casual leave for 12 days during the period of their training for one year.

(ii) They may be granted leave of absence not exceeding fifteen days for sickness and unavoidable private affairs at the discretion of the superintendent of the training centre. This leave may be granted with stipends not affecting the period of training. (iii) They will be granted no other leave except leave on medical certificate which will have the effect of extending the period of training and they will not be eligible for any stipend during this period of leave.