

The Coimbatore City Municipal Corporation Service Rules, 1987

TAMILNADU

India

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Rule

THE-COIMBATORE-CITY-MUNICIPAL-CORPORATION-SERVICE-RULES of 1987

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The Coimbatore City Municipal Corporation Service Rules, 1987Published vide Notification G.O. Ms. No. 1351, Municipal Administration and Water Supply, dated 17th December 1986No. SRO A-48/87. - In exercise of the powers conferred by sub-section (1) of section 430, read with sub-section (1) of section 108 of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), the Governor of Tamil Nadu hereby makes the following rules:-

Part I – 1. Short title and commencement.

- These rules may be called the Coimbatore City Municipal Corporation Service Rules, 1986.

2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context,-(1)"Act" means the Coimbatore City Municipal Corporation Act, 1981, (Tamil Nadu Act 25 of 1981).(2)"Appointed to the Service" - A person is said to be "appointed to the Service" when in accordance with these rules or in accordance with the rules applicable at the time, as the case may be, he discharges for the first time, the duties of a post borne on the cadre of the service or commences the probation, instruction or training, if any, prescribed for members thereof;(3)"Approved Candidate" - A person is said to be an "approved candidate" of a Corporation service if his name appears in the authoritative list of candidates selected for appointment to any class or category of the service;(4)"Approved Probationer" - "Approved Probationer" in a class or category of the sendee means a member of that class or category of the service who has satisfactorily completed his probation and awaits appointment as full member of such class or category of the service.(5)"Backward Classes" -

"Backward Classes" means the communities classified by Government, from time to time, as such in the General Rules for the Tamil Nadu State and Subordinate Services;(6)"Commissioner" means the Commissioner, Corporation of Coimbatore;(7)"Committee" means the "Appointments Committee" or the with "Appeal Committee" in accordance the context;(8)"Corporation" - "Corporation" means the Municipal Corporation of Coimbatore;(9)"Council" - "Council" means the Council of the Municipal Corporation of Coimbatore;(10)"Discharge of a member of the service" - "Discharge of a member of the service" means dispensing with the service for want of vacancy;(11)"Duty" - A person is said to be "on duty" as a member of the service-(a)When he is performing the duties of a post borne on the cadre of the service or is undergoing the probation, instruction or training, if any, prescribed for the service;(b)When he is on joining time; or(c)When he is absent from duty during vacation or on authorised holidays or on casual leave taken in accordance with the instructions regulating such leave having been on duty immediately before and immediately after such absence;(12)"Full Member" - "Full Member" of the service means, a member of the service who has been appointed substantively to a permanent post borne on the cadre thereof;(13)"General Rules" - "General Rules" shall mean the rules.in Part II of these rules;(14)"Member of the service" - "Member of the service" means a person who has been appointed to the service and who has not retired or resigned or has been removed or dismissed, or has been discharged otherwise than for want of vacancy. He may be a probationer or approved probationer of a full member of that service;(15)"Military duty" - "Military duty" means,-(a)duty of any kind (including a course of training) involving subjection to Naval, Military or Air Force Law; or(b)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 authorises or in factories; or(c)whole-time duty in-(i)the Civil Pioneer Force, the Madras Civil Labour Units or the Madras Labour Units for Ceylon; or(ii)the A. R. P. or any other Civil Defence Organisation specified by the Central Government; or(iii)any post created for the efficient prosecution of the war of 1939-1946 or associated with the training of war technicians, if duty in 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:-(i)it must have been rendered within the period commencing on the 3rd September 1939 and ending with the 21st November 1984, Provided that if it commenced on or after the 2nd April 1946, it shall not be reckoned as Military duty; orIt must have commenced on any date on or after the 26th October 1962.(16)"Probationer" - "Probationer" in the service means a member of the sendee who has not completed his probation;(17)"Promotion" - "Promotion" means the appointment of a member of any category of the service or a class or service to a higher category or class of the service;(18)"Recruited direct" - A person is said to be recruited direct when he is not already a member of the Corporation service, to which the direct recruitment is made;(19)"Reversion" - "Reversion" shall mean the reversion of a member of a class or category of the service to a lower class or category of the service for want of a vacancy;(20)"Scheduled Castes" - "Scheduled Castes" means the communities classified as such in 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 Scheduled Caste;(21)"Scheduled Tribes" - "Scheduled Tribes" means the communities classified as such in the General Rules for the Tamil Nadu State and Subordinate Services;(22)"Service" - "Service" shall mean any one of the following Corporation Services-(a)General Services;(b)Engineering and Water Supply Services;(c)Town Planning Service;(d)Medical Service;(e)Educational Service; and(f)Public Health

Services;(23)"Special Rules" - "Special Rules" shall mean the rules applicable to the classes of services classified;(24)"Transfer" - "Transfer" shall mean the posting of a holding one post to another identical post under the Corporation;(25)"War Service" - "War Service" means,-(a)service of any kind in a unit of formation liable for services overseas or in any operational area or in the Indian National Army (I. N. A.);(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 the 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 area;(e)Valuable service rendered to the fighting forces in other ways e.g., by way or recruiting;(f)Service in A. R. F. or any other Civil Defence Organisation specified in this behalf by the Central or State Government; and(g)(1) 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;(2)service in any of the following:-(i)National War Front Organisation;(ii)Camouflage Organisation;(iii)Special Organisation for the Production of war supplies thought 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 serve overseas;

Part II – General Rules

1. Scope of the General Rules. - The rules in this Part shall apply to Classes I to IV of the Corporation Establishment specified in section 106 of the Act and to the holders of every post, whether temporary or permanent in any Class or Category of each sendee.

Explanation. - If any doubt arises as to whether these rules shall apply to any person or not, in a particular Class or Category of the service, the matter shall be referred to the Government whose decision shall be final.

2. Relation to the Special Rules. - If any provision in the General Rules contained in this Part is repugnant to a provision contained in the Special Rules applicable to Class-I, Class-II, Class-III and Class-IV services, the latter shall in respect of the service prevail over the provisions in the General Rules in this Part.

3. List of approved candidates. - All first appointments to the service shall be made by the appointing authority from a list of approved candidates. Such list except in respect of Classes I and II shall be prepared by the appointing authority in the manner laid down in rule 4. Where the candidates in such list are arranged in order of preference, appointments to the service shall be made in such order.

4. Procedure for appointment. - All appointments and promotions shall be made by the authority competent as provided for under section 106 of the Act. Vacancies for the posts in Classes II, III and IV in the service shall be notified to the local employment exchange and shall be filled up only from among the candidates sponsored by the employment exchange. In case where the employment exchange intimates non-availability of suitable qualified candidates then selection of candidates may be made by advertisement. The Commissioner shall prepare a tabulated statement giving particulars of the candidates in Form 4 in the appendix and place the same before the council in respect of posts classified as Class II and Appointments Committee in respect of posts classified as Classes III and IV. In respect of all the categories in Class II service, the council will select candidates included in the tabulated statement after personal interview by the Appointment Committee of the council, subject to confirmation by the Government. In respect of all the categories in Classes III and IV services, the Appointment Committee will select candidates from amongst the candidates included in the tabulated statement after personal interview, if necessary. Every candidate selected for appointment shall possess the qualifications prescribed for the respective posts and shall be physically found suitable on being sent for medical examination:

Provided that the Commissioner may be provided in rule 8, appoint temporarily such persons as may be in his opinion be required for any purpose connected with the running of the administration, if candidates from the list of approved candidates in respect of all the categories in Classes III and IV are not readily available. The Commissioner shall report the appointments Committee appointments made for its ratification.

5. Right of probationers and approved probationers to re-appointments. - A vacancy in any class or category of any of the service shall not be filled by the appointment of a person who has not yet commenced his probation in such class or category of the service when an approved probationer or probationer therein is available for such appointment.

6. Discharge or reversion and re-appointments of probationers and approved probationers. - (a) Probationers and approved probationers shall be reverted or discharged for want of vacancy in the following order:-

(i) the probationers in the order of juniority; and (ii) the approved probationers in the order of juniority. (b) The order of reversion or discharge may be departed from in cases where such order

will involve exceptional administrative inconvenience.

7. Members absent from duty. - The absence of a member of the services from duty whether on leave or on foreign service or on deputation or for any other reason and whether his lien in a post borne on the cadre of the service is suspended or not, shall not, if he is otherwise fit, render him ineligible in his turn:-

(a)for re-appointment to a substantive or officiating vacancy in the class, category, grade or post in which he may be a probationer of an approved probationer;(b)for promotion from a lower to a higher category in the service and the case may be in the same manner as if he has not been absent. The shall be entitled to all the privileges in respect of appointment, seniority, probation and appointments as full member which he would have enjoyed but for his absence subject to his completing satisfactorily the period of probation on his return.

8. Temporary appointments and promotion. - (a) The appointing authority may appoint any person temporarily for a period not exceeding six months or promote any person temporarily for a period not exceeding three months in order to fill up a vacancy which has arisen in any category or class or the service, in the public interest and where there will be undue delay in making an appointment in accordance with the rules.

(b)Where it is necessary to promote an officer against whom an enquiry into allegations of corruption or misconduct is pending, the appointing authority may promote him temporarily pending enquiry into the charges against him.(c)A person appointed or promoted temporarily under sub-rules (a) or (b) shall not be regarded as a probationer in such class or category of the service. The services of such a person shall liable to be terminated by the appointing authority at any time without notice and without reasons being assigned.(d)A person appointed or promoted temporarily under sub-rule (a) or (b) shall be paid the minimum of the time scale of pay or his substantive pay, as the case may be, applicable to the post whichever is higher.

9. Appointment on contract. - Notwithstanding anything contained in these rules wherever it is necessary in the interest of the administration or in the public interest to appoint a person to any class or category of the service otherwise than in accordance with the rules, the Commissioner may, with the prior approval of the Government, appoint any person on contract for a period not exceeding three years at a time. A person, who is so appointed shall not be regarded as a member of the service to which he is appointed.

10. Qualifications. - The minimum general educational qualification wherever referred to in the special rules shall mean the qualification prescribed in the said rules, or any other qualifications as prescribed, from time to time, in Schedule I to Part II or the General Rules for the Tamil Nadu State and Subordinate Services. Any person who has appeared for the examination mentioned in rule 12(a)(ii) of the General Rules of the State and Subordinate Services in Volume I of the Tamil Nadu Services Manual and has obtained the minimum marks specified therein shall be deemed to possess the minimum general educational qualification:

Provided that a candidate who has rendered war service shall be deemed to possess the minimum general educational qualification, if he has appeared for the Secondary School Leaving Certificate Examination of the State and declared eligible for admission to collegiate course of studies.

11. Age limit. - The age limit prescribed in the special rules shall not apply to the appointment of a candidate belonging to any of the Scheduled Caste, Scheduled Tribe or Backward Classes to a post included in the service for which the special rules-prescribed a qualification lower than degree of any University if the candidate possesses a general educational qualification higher than the minimum general educational qualification. A candidate who has rendered war service is eligible to deduct from his age, the period of his war service for the purpose of computing his age for appointment.

12. Special qualifications to be acquired or special tests to be passed. - No person shall be eligible for appointment to any class or category of the service unless he possesses such special qualifications and has passed such special tests, as may be prescribed in that behalf in the special by the Government.

13. Appointment of women. - Women alone shall be appointed to posts in any institution or establishment specially provided for them:

Provided that man may be appointed, if suitable or qualified women are not available for such appointment.

14. Reservation of appointments. - Where the special rules lay down that the rule of reservation of appointments shall apply to any class or category of the service, the order of such reservation shall be the same as in rule 22 of the General Rules for the Tamil Nadu State and Subordinate Services, as

amended, from time to time.

15. Date of commencement of probation of persons appointed or promoted temporarily. - If a person, who is appointed or promoted temporarily under rule 8 of these rules, is subsequently appointed thereto in accordance with the rule, 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 rule 8 as the appointing authority may in his discretion decide:

Provided that this rule shall not be construed as authorising the appointment or promotion or probation of a person from a date on which he did not possess the qualifications prescribed for such appointments or promotion.

16. Duty in higher post to count for probation in lower post. - A probationer in any class or category of the service shall be eligible to count towards his probation, if any, his duty performed otherwise than in a substantive capacity on regular appointment to a higher class or category of the service.

Nothing contained in this rule shall be construed as authorising the promotion of a probationer in contravention of rules.

17. Duty on temporary promotion to count for probation in lower post. - A probationer in any class or category of the service who is promoted temporarily under the provisions of rule 8 of these rules to a higher class or category of the service shall be entitled to count towards his probation, if any, in the former class or category the period of duty performed by him in the latter class or category, as the case may be, during which he would have held the post in the former class or category but for his temporary appointment on promotion.

18. Completion of probation and drawal of arrears of increments. - Any delay in passing order 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 satisfactory 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 is qualified as on the date ordered; and(4)that declaration of satisfactory completion of probation was not the result of any relaxation of rules.

19. Appointing authority to consider suitability for full membership. - As soon as a probationer in any class or category of the service has completed his period of probation prescribed in the rules or the extended period of probation referred to in rule 21, as the case may be, the appointing authority shall consider his suitability for full membership to the class or category, as the case may be:

Provided that he has passed the tests, if any, which he should pass during the period of his probation. 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.

20. 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 or if the probationer has not passed the test or tests, if any, which the probationer should pass within the period of probation, he should be given time to enable him to pass the tests, the appointing authority may extend his period of probation for a period of not exceeding one year.

21. Completion of termination of probation. - If on the conclusion 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 probation. If on the conclusion of the period of probation the probationer, has not passed the tests, if any, prescribed by the rules, the appointing authority shall terminate his probation unless the probation is extended under rule 20. If the probationer does not pass the tests within the extended period of probation, the appointing authority shall terminate his probation.

22. Automatic completion of probation. - A probationer in any class or category of the service shall be deemed to have completed his probation automatically unless within a period of six months calculate, from the date

on which he completed his 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 conclusion of the disciplinary proceeding.Nothing in this rule shall be construed as entitling a probationer to automatic completion of probation if he has not passed the tests which under the special rules he should pass within the period of his probation.

23. Appeal against termination of probation. - A probationer whose probation has been terminated for reason other than failure to pass the prescribed test shall be entitled to appeal to next higher authority and within the period of limitation within which an appeal would be preferred against the orders of termination passed by the appointing authority against a member of the service.

24. Appointment of mil members. - The senior most approved probationer in a class or category, as the case the may be, of a service shall, at the earliest possible opportunity, be appointed as a full member in a substantive vacancy existing in such class or 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 his probation.

25. Seniority. - (a) The seniority of a person appointed to any class or category of the service shall be determined with reference to his rank in the list of approved candidates or promotion panel, as the case may be.

(b)Application for the revision of seniority of a person appointed to any class or category of the service shall be submitted to the appointing authority within a period of three years from the date of appointment to such class or category of, within a period of three years from the date of order fixing the seniority, as the case may be. Any application received after the said period of three years shall be summarily rejected. This shall not, however, be applicable to cases of rectifying orders, resulting from mistake of facts.

26. Promotion. - Every promotion to a class or category or the service to which promotion shall be made from a promotion panel drawn up by the appointing authority in a manner laid down in rule 27.

27. Promotion panel. - Selection of candidates for higher posts shall be regulated as follows:-

(a)The Commissioner shall assess the number of vacancies that would occur by superannuation of existing incumbents, creation of new or additional posts within a period of six months or one year, as he considers necessary under each class or category of the serviced.(b)The Commissioner shall, thereafter, cause a panel of candidates prepared in the order of preference based on their qualifications, merit and ability Seniority being taken into account only, if qualification, merit and ability are approximately equal.(c)The number of persons to be included in the panel will be equal to twice the number of vacancies or such number as the Commissioner may decide.(d)Separate panel shall be prepared for each category of the service for which the qualification and scale of pay fixed are different.(e)The Commissioner shall arrange the names of all eligible candidates in the order of their seniority in the class from which promotion has to be made and also record his own views on the fitness or otherwise of the candidates. He shall, thereafter, place the list before the appointing authority which shall scrutinise them and draw promotion panel for each class.(f)Any modification to the list placed by the Commissioner shall be justified by the appointing authority and the reasons therefor shall be recorded by it in writing.(g)The panel as approved by the appointing authority shall be maintained by the Commissioner and the appointments shall be made in the order in which their names are arranged in the panel.

28. Completion of probation and promotion. - (a) A person who is appointed to the service in a class or category thereof shall not be promoted from the said class or category until he has completed his probation therein.

(b)Subject to the provisions of sub-rule (a), member of the service in any class or category may be promoted from the said class or category even though he may not have completed his probation therein.

29. Merit and seniority in the matter of promotion. - (a) All promotions shall be made on grounds of merit and ability of the members of the service, his seniority being taken into account only when merit and ability are approximately equal except where the special rules governing the service specially require that promotion to any class or category thereof shall be made on the basis of seniority alone.

(b)Where the special rule governing the service requires that promotion to any class or category thereof shall be made on the basis of seniority alone, the order of seniority may be departed from in

the following cases, namely:-(i)Where promotion is given on grounds of conspicuous merit and ability;(ii)Where promotion has been withheld as measure of penalty.

30. Representation against supersession of claim of promotion. - Every member of the service whose claim for promotion is passed over shall have the right to make a representation for redressal of his grievance. Such representation shall be made to the authority to which an appeal would lie against an order of dismissal passed on full member of the class or category of the service, as the case may be, and within two months from the date on which the cause for making the representation accrued. The aforesaid authority shall examine every such representation on its merits and pass suitable order.

31. Revision of orders of promotion. - Nothing contained in rule 30 shall be construed as preventing the authority mentioned in that rule from suo moto examining any order promoting a member of service and revising it any manner as it considers equitable.

32. Posting and transfers. - (a) A member in a class or a category of service may be required to serve in any post borne on the cadre of such class or category or service;

(b)All transfers and posting shall be made by Commissioner.

33. Consequences of resignation. - A member of the service shall if he resigns his appointment, forfeit not only the service rendered by him in the particular post held by him at the time of resignation, but all his previous services under Corporation. The re-appointment of such person to any post in the service shall be treated in the same way as first appointment to the service by direct recruitment and the rules governing such appointment shall apply and on such re-appointment, he shall not be entitled to count to any portion of his previous service for any benefit of concession admissible under any rule or order.

34. Reduction of full member. - If a full member of any class or category of the service is substantively reduced to a lower class or category therein, he shall be deemed to be a full member of the latter and the permanent cadre thereof shall, if there is no vacancy in which he could be absorbed; be

deemed to be increased by one:

Provided that against every such addition, an officiating or temporary vacancy, if any, in such lower class or category shall be kept unfilled and such addition shall be absorbed in the first permanent vacancy that arises subsequently in such lower class or category, as the case may be.

35. 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 class or category, no vacancy caused thereby or arising subsequently in such class or category shall be substantively 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 or until the appeal, if any, preferred by him against such dismissal, removal, compulsory retirement or reduction is decided whichever is later.

36. Re-employment of pensioners. - Notwithstanding anything to the contrary in these rules or the special rules, the Government shall have the power to re-employ in any class or category of any of the service any person who has retired from the service. The re-employment of such person shall not be regarded as first appointment to the service, nor it shall confer on him the status of a member of the service in which he is re-employed.

37. Relinquishment of rights by members. - Any person may, in writing, relinquish any right or privilege temporarily for a period of three years may be admitted under these rules or the special rules, if in the opinion of the appointing authority, such relinquishment is not opposed to public interest and nothing contained in these rules or the special rules shall be deemed to require the recognition of any right or privilege to the extent to which it has been so relinquished.

38. Power to relax. - Notwithstanding anything contained in these rules or the special rules, the Government shall have the power to deal with the case of any person or class of persons serving in the service or any candidate or class of candidates for appointment to the service in such manner as may appear to them to be just and equitable. Provided that where any such rule is applicable to 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 rule.

39. Alteration of date of birth. - (a) The date of birth of a member of the service shall be the date found on record in the S.S.L.C. or Matriculation Register or any school certificate which he produced at the time of his appointment to the service. If a member of the service claims subsequently that his date of birth is different from that entered in the S. S. L. C. or Matriculation Register or school certificate, he shall make an application to the Commissioner, explaining how the mistake occurred and also produce the evidence on which he relies.

(b)An application for alteration of date of birth should not normally be accepted by the Commissioner if it is made five years after the member had entered the service unless the applicant furnished adequate reasons for not making his application earlier.(c)The Commissioner send the relevant records to the Collector of the district concerned, who shall have the matter enquired into by an officer of the Revenue Department not lower in rank than Revenue Divisional Officer. The Collector shall forward with his remarks, if any, the report of the Revenue Divisional Officer concerned and all the relevant records to the Government. Thereupon the Government shall pass suitable orders thereon.(d)In considering the question of permitting an alteration in the date of birth as entered in the official records even when such entry is proved to have been due to a bonafide mistake, the Government shall take into consideration the circumstances whether the applicant would normally be eligible for appointment to the post at the time of entry into service, had his age been correctly stated and what would have been its effect on his service and Government may permit the alteration subject to such conditions as they may deem fit to impose.(e)The procedure laid down in sub-rules (a) to (d) shall be followed also in case where alteration of date of birth is proposed suo moto by the Commissioner on the basis of medical opinion, in the absence of other authoritative records.

40. Furnishing of security deposit in a particular class or category of the service. - It shall be open to the council to direct with the prior approval of the Government and by means of a general or special orders that a person before he is appointed to a particular class or category of the service shall furnish security "to posts for which security is prescribed" for a specified amount. The amount of security and the manner of taking it shall be given in the order. No person shall be appointed to any class or category of the service unless he furnished security in accordance with the said order.

41. Pay and allowances. - The pay and allowances of the Corporation establishment in classes I to IV shall be fixed by the Government, from time to time, in accordance with section 108 of the Act. The provisions of the

Tamil Nadu Travelling Allowance Rules issued by the Government from time to time, shall apply to the Corporation establishment for purpose of claiming travelling allowance and daily allowance.

42. Holidays. - (a) The offices and institutions under the control of the Corporation shall be permitted only such public and special local holiday as may be sanctioned by the Government from time to time, in respect or Government offices and institutions:

Provided that the grant of holidays to educational institutions under the control of the Corporation shall be regulated in accordance with the Tamil Nadu Educational Rules.(b)No holiday other than those sanctioned to Government Offices and institutions shall be granted to offices and institutions under the control of the Corporation without the previous sanction of the Government:Provided, however the Commissioner is permitted to order closure of the Corporation offices for a day or part of a day as a mark of respect whenever any officer of the Corporation of the status of a head of department passes away.

43. Rules applicable to Government servants to apply. - The provisions of the Fundamental Rules, the Tamil Nadu Leave Rules, 1933, the Tamil Nadu Manual of Special Pay and Allowances Tamil Nadu Pension Code as amended, from time to time, shall apply in so far as they are not inconsistent with the rules made under the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981).

44. Notwithstanding anything contained in these rules, the appropriate authority shall, if it is of the opinion that it is in the public interest so to do, have the absolute right to retire any member of the service by giving him notice of not less than three months in writing or three months pay and allowance in lieu of such notice, at any time after he has attained the age of fifty years or fifty five years in the case of basic servant, as the case may be, or after he has completed thirty years of qualifying service. Any member of service, who has attained the age of fifty years or who has completed twenty, five years of qualifying service, may, likewise, retire from service by giving notice of not less than three months, in writing to the appropriate authority.

Explanation I. - For the purpose of this rule, appropriate authority means the authority, which has the power to make substantive appointment to the post or service from which the member of the service is required to retire or want to retire.Explanation II. - For the purpose of this rule, the three months notice may be given before the member of the said service attains the age of fifty years, provided that the retirement takes place after he has attained that age.Explanation III. - In

computing the notice period of three months, the date of service of the notice shall be included. Explanation IV. - When a member of the service under suspension or against whom disciplinary action is pending, seeks to retire voluntarily under this rule, the specific permission of the appropriate authority for such voluntary retirement is necessary. The appropriate authority may withhold the permission sought by the member. Explanation V. - The powers conferred on the appropriate authority under this rule may also be exercised by any higher authority.

45. (a) A member of service who has completed qualifying service of not less than twenty years, may retire from service by giving notice of not less than three months in writing to the appointing authority. Before giving such notice, he may satisfy himself by means of a reference to the appointing authority that he has completed twenty years of qualifying service for pension.

Explanation I. - For the purpose of this clause, the period of notice shall commence from the date of its receipt by the appointing authority. Explanation II. - The term "appointing authority" shall include the immediate official superior to the member and the period of three months notice shall commence from the date of receipt of the notice by the said immediate superior, in case where a member has to address the appointing authority through proper channel. (b) The member of the service desiring to retire under sub-rule (a) shall be given weightage up to five years in addition to the qualifying service rendered by him subject to the conditions that the total qualifying service after adding the weightage shall not exceed the qualifying service he would have had if he had voluntarily retired under the rule 44 in completion of twenty-five years, whichever is earlier. The weightage given under this sub-rule shall be an addition to the qualifying service for the purpose of calculating pension and gratuity only and it shall not entitle the member retiring voluntarily to any notional fixation of pay for the said purpose. The pension and, gratuity shall be based on the actual emoluments on the date of retirement. (c) The notice of voluntary retirement issued by a member of the service under sub-rule (a) shall be accepted by the appointing authority, if the date of retirement on the expiry of such notice is earlier than the date on which the member concerned could have retired, voluntarily under the rule 45, except where, - (1) disciplinary proceedings are contemplated pending against the member concerned for the imposition of a major penalty; or (2) prosecution is contemplated pending in a Court of law against the member concerned. (d) The member shall be deemed to have been retired from service at the end of the period of notice issued under sub-rule (a) unless the appointing authority issues an order to the contrary before expiry of the period of notice. (e) The member may also withdraw the notice of voluntary retirement subsequently, with the approval of the appointing authority: Provided that the request for such withdrawal shall be made before the expiry of the period of notice. Appendix Form 4 Appointment Committees Docket Form

1. Name of post

2. General qualification

3. Technical qualification

4. Scale of pay and allowances

5. Number of vacancies existing

6. Number of vacancies anticipated in the year

S.No.	Name of applicant	Nationality and	Qualifications Caste General and Technical	Decision of the Committee
(1)	(2)	(3)	(4)	(5)