SECTION 33 - THE TAMIL NADU JUDICIAL MINISTERIAL SERVICE

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 rules on the subject reissued in G.O. No.2742, Public (Services), dated the 30th September, 1953, the Governor of Tamil Nadu hereby makes the following special rules in respect of the Tamil Nadu Judicial Ministerial Service:-

1. (a) COMMENCEMENT :-

The rules shall come into force on and from the 1st January,1955.

(b) APPLICATION:-

They shall apply to the holders of all posts, whether temporary or permanent, in the service appointed thereto before, on or after the 1st January 1955, except to the extent otherwise expressly provided-

(i) by or under any law for the time being in force; or

(ii) in respect of any member of the Service by a contract or agreement subsisting between such member and the State Government.

2. (a) DEFINITIONS :-

In these Rules unless there is anything repugnant in the subject or context-

(1) 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 prescribed for the members thereof.

EXPLANATION :-

The appointment of a person holding a post borne on the cadre of another service to hold additional charge of * a higher post in the same service or a post borne on the cadre of this service or to discharge the current duties thereof does not amount to appointment to this service; * Inserted P. Dis. No.80/91.

(**2) APPROVED CANDIDATE :-**

"Approved Candidate" means a candidate whose name appears in an authoritative list of candidates approved for appointment to this service or any class or category thereof;

(3) APPROVED PROBATIONER :-

"Approved Probationer" in the service or a class or category thereof means a member of the service, class or category, who has satisfactorily completed his probation and awaits appointment as a full member of the service, class or category, as the case may be;

(4) BACKWARD CLASSES :-

"Backward Classes" means the Communities defined as such in the Tamil Nadu State and Subordinate Service Rules for the time being in force;

(5) DISCHARGE OF A PROBATIONER :-

Discharge of a Probationer" means in case the probationer is a full member or an approved probationer of another service, class or category, reverting him to such service, class or category and in any other case, dispensing with his services;

(6) 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 undergoing the probation;

(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 issued by the State Government, having been on duty immediately before and immediately after such absence;

(d) when he was compulsorily to wait for orders of posting on return from leave.

(7) 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 ;

(8) 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, been removed or dismissed, been substantively transferred or reduced to another service or been discharged otherwise than for want of a vacancy. He may be a probationer, an approved probationer or a full member of the service;

(9) 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 a 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 Tamil Nadu Labour Units for Ceylon; or

(b) The A.R.P. or any other Civil Defence Organization 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 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 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" (G.O.Ms.No.160, Home dated 18/1/67).

(10) MINIMUM GENERAL EDUCATIONAL QUALIFICATION :-

"Minimum general educational qualification" means the qualification prescribed in the Schedule to the General Rules for the time being in force;

(11) PROBATIONER :-

"Probationer in the Service" means a member of the service who has not completed his probation.

(12) PROMOTION :-

"Promotion means the appointment of a member of any class, category or grade of the service to a higher class, category or grade of the service.

(13) RECRUITED DIRECT :-

A candidate is said to be "recruited direct" to the service class, category or post when, in case his first appointment thereto has to be made in consultation with the Commission, on the date of its notification inviting applications for the recruitment, and in any other case, at the time of his first appointment thereto, he is not in the service of the Government of India or the Government of a State;

Provided that for the purposes of this definition a person shall be deemed to be not in the service of the Government of India or the Government of a State:-

(i) If a period of five years has not elapsed since his first appointment to a service of the Government of India or the Government of a State; or

(ii) If he is a practising member of the Bar, although holding an office under the Government; or

(iii) if he holds a post, the conditions of service of the holder of which have been declared to be matters not suitable for regulation by rule; or

(iv) if he belongs to the Scheduled Castes, Scheduled Tribes or Backward Classes;

(14) RECRUITED BY TRANSFER:-

A Candidate is said to be "recruited by transfer" to the Service -

(a) if at the time of his first appointment thereto he is either a full member or an approved probationer in any other service the rules for which prescribe a period of probation for members thereof; or

(b) in case at the time of his first appointment thereto, he is the holder of a post which has been included in another service but for which no probation has been prescribed, if he has put in that post satisfactory service for a total period of two years within a continuous period of three years;

(15) SCHEDULED CASTES :-

"Scheduled Castes" means the communities defined as such in the Tamil Nadu State and Subordinate Services Rules for the time being in force;

(16) SCHEDULED TRIBES :-

"Scheduled Tribes" means the communities defined as such in the Tamil Nadu State and Subordinate Services Rules for the time being in force;

(17) SERVICE :-

"Service" means a group of persons classified by the State Government as a Subordinate Service and includes the non-gazetted members of the Madras High Court Service.

NOTE :- Where the context so requires "Service" means the period during which a person holds a post or a lien on a post or is a member of a service as above defined.

(18) WAR SERVICE :-

"War Service" means service rendered in connection with the War of 1939-1946 as defined in Rule 2 in Part I of the Tamil Nadu State and Subordinate Services Rules.

(b) General Rules:- Except to the extent expressly provided in sub-rule (a) of this rule and Rules 17 and 23, the rules in Parts I and II of the Tamil Nadu State and Subordinate Services Rules shall not apply to this Service.

3. PAY, ALLOWANCES, LEAVE, LEAVE SALARY, PENSION AND OTHER CONDITIONS OF SERVICE :-

The Tamil Nadu Civil Services (Classification, Control and Appeal) Rules, the Rules regulating the pay of the services, the Government Servant's Conduct Rules, the Fundamental Rules, the Tamil Nadu Leave Rules, 1933, and the Pension Rules, for the time being in force shall, in so far as they may be applicable and except to the extent expressly provided in these rules, govern members of this service in the matter of their pay, allowances, leave, leave salary, pension and other conditions of service:

Provided that –

(i) Omitted P.Dis. 80/91

(ii) save as otherwise expressly provided in these rules nothing contained in this rule shall affect the operation of the provisions of (** rule 16 of the Tamil Nadu Pension Rules, 1978) relating to the fixation of (**)Substituted P. Dis. 80/91 pay of a member of service who is in receipt of a military pension.

4. CADRE :-

The permanent cadre of each class, category and grade shall be determined by the State Government.

5. CONSTITUTION :-

The Service shall consist of the following classes and categories of Officers:-

CLASS – I

(City Courts and Officers of the Administrator – General and Official Trustee, Tamil Nadu, Advocate General, Tamil Nadu, Government Pleader, Madras, Public Prosecutor, Madras and Editor , Indian Law Reports, Madras Series, Madras).

CATEGORY :-

1. Sarishtadar of the City Civil Court, Madras,
   Sarishtadar of the Chief Metropolitan Magistrates' Court, Egmore, Madras.
2. Deputy Registrar, Presidency Court of Small Causes,
   Madras.
3. Chief Clerks of the Metropolitan Magistrates' Courts at
   George Town and Saidapet.
   Head Clerk, City Civil Court, Madras.

   Superintendent of the Office of the Administrator – General and Official Trustee, Madras.

   Manager of the Office of the Advocate General, Madras.
   Central Nazir, Presidency Court of Small Causes, Madras.
   Manager of the Office of the Government Pleader, Madras.
   Manager of the Office of the Public Prosecutor, Madras.
   Head Clerks in the Office of the Administrator General & Official Trustee, Madras.
   Superintendent, Labour Court, Madras,
   (Added SROB No.81/98.)
   Head Ministerial Officer,Industrial Tribunal, Madras. (Added SROB No.81/98.)

4. Interpreters, Presidency Court of Small Causes,
   Madras.
   Interpreters, Metropolitan Magistrates Court, Madras.
   Provided that one of the Interpreters shall be a person whose mother Tongue is Urdu or Hindi and who has passed the test prescribed for Urdu Interpreter in Column (3) against category 4 of Class I in the table below rule 22.

   Translators of the City Civil Court, Madras, one of whom shall be a person whose mother-tongue is Urdu or Hindi.

   Deputy Nazir of the Presidency Court of Small Causes, Madras.

   Chief Judge's Clerk of the Presidency Court of Small Causes, Madras.

   Head Accountant in the Presidency Court of Small Causes, Madras.

   Copyist Superintendent in the Presidency Court of Small Causes, Madras.

5. Accountant in the City Civil Court, Madras.
   Treasurer of the Presidency Court of Small Causes, Madras.
   Accountants in the Court of the Metropolitan Magistrates.

   Accountants and Cashiers in the Office of the Administrator General and Official Trustee, Madras.

   Assistants including Record Keeper and Schedule Clerk in the Office of the Administrator-General and Official Trustee, Madras, and Bench Clerks in the City

Civil Court, Madras.

Court and Deposit Keeper of the Presidency Court of Small Causes, Madras.

Assistant in the Office of the Editor, Indian Law Reports, Madras.

6. Junior Assistants including the following:-

Ledger – Keepers and Court Clerks Of the Office of the Administrator – General and Official Trustee, Madras
Typists

Steno-typists

7. Examiners and Readers in the Presidency Court of Small Causes, Madras and in the City Civil Court, Madras.

Examiners in the Metropolitan Magistrates' Court, Madras.

8. (i) Shroff in the Presidency Court of Small Causes, Madras.

(ii) Assistant Shroff in the Presidency Court of Small Causes, Madras.

*** CLASS -IA (OMITTED SROB 81/98)**
CLASS – II (CITY COURTS)

CATEGORY:-

1. Bailiff, Court of Small Causes-cum-Court keeper, City Civil Court, Madras.

2. Senior Bailiffs of the Presidency Court of Small Causes, Madras.

3. Junior Bailiffs of the Presidency Court of Small Causes, Madras.

4. Process-Writers of the Presidency Court of Small Causes, Madras.

CLASS – III (CITY COURTS)

Copyists in the Presidency Court of Small Causes, Madras and the Courts of the Metropolitan Magistrates, Madras.

CLASS – IV (MUFFASSAL COURTS)

CATEGORY :-

1. Sarishtadars of District Courts and Chief Judicial Magistrate's Courts.
2. Sarishtadars of Subordinate Judges' Courts, Head Clerks of the District Courts, Central Nazirs.

3. Head Clerks of the Chief Judicial Magistrate's Courts.
Head Clerks of the Subordinate Judges' Courts.
Superintendents of Labour Courts, Madurai and Coimbatore. (Inserted SROB 81/98).

Head Clerks of the Sub Divisional Judicial Magistrates' Courts.
Head Clerks of the District Munsif Courts.
Record keepers of the District Courts.
Senior Superintendent of Copyists.
Deputy Nazirs.
Translators.

4. Record Keeper, Subordinate Judges' Court, Ootacamund.
First Clerk, District Court, Coimbatore.
One bench Clerk in each of the District Courts and Subordinate Judges' Courts.
Assistants

5. Junior Assistants.
Assistant Nazirs.
Junior Superintendent of Copyists.
Typists and Steno-typists.

6. Assistant Superintendents of Copyists
Examiners.
Readers.

CLASS – V (MUFFASSAL COURTS)

Senior Bailiff
Copyists

6. APPOINTMENT :-

(a) Appointment to the several classes and categories shall be made as follows:-

CLASS – I

FOR CATEGORIES 1- 5 NAMELY :-

1. Sarishtadar of the City Civil Court, Madras. Sarishtadar of the Chief Metropolitan Magistrate's Court, Madras. 2. Deputy Registrar, Presidency Court of Small Causes, Madras. 3. Chief Clerks of the Metropolitan Magistrates' Court at George Town and Saidapet. Head Clerk City Civil Court, Madras. Superintendent of the Office of the Administrator – General and Official Trustee, Madras.	Promotion from a post on the next lower rate or scale of pay in the same category or in any other category in Class – I; or if no qualified and suitable member is available for such promotion, promotion from a post on the next lower rate or scale of pay further below including Category 6; or if no qualified and suitable member is available for promotion as prescribed above direct recruitment or recruitment by transfer from any other service.

Superintendent, Labour Court, Madras. (Added SROB 81/98) Head Ministerial Officer, Industrial Tribunal, Madras. (Added SROB 81/98) Manager of the Office of the Advocate-General, Madras. Central Nazir, Presidency Court of Small Causes, Madras. Manager of the Office of the Public Prosecutor, Madras. Manager of the Office of the Government Pleader, Madras. Head Clerks in the Office of the Administrator – General and Official Trustee, Madras. 4. Interpreters, Presidency Court of Small Causes, Madras. Interpreters, Metropolitan Magistrates' Courts, Madras. Translators of the City Civil Court, Madras. Deputy Nazir of the Presidency Court of Small Causes, Madras Chief Judge's Clerk of the Presidency Court of Small Causes, Madras. Head Accountant in the Presidency Court of Small Causes, Madras. Copyist Superintendent in the Presidency Court of Small Causes, Madras. 5. Accountant in the City Civil Court, Madras. Treasurer of the Presidency Court of Small Causes, Madras. Accountant in the Court of Metropolitan Magistrates. Accountants and Cashiers in the Office of the Administrator-General and Official Trustee, Madras. Assistants including Record Keeper and Schedule Clerk in the Office of the Administrator-General and Official Trustee, Madras and Bench Clerks in the City Civil Court, Madras. Court and Deposit Keeper of the Presidency Court of Small Causes, Madras. Assistant in the Office of the Editor, Indian Law Reports, Madras. 6. Junior Assistants including the following:- Ledger-Keeper and Court Clerk, Office of the	Promotion from the post on the next lower rate or scale of post in the same category or in any other category in Class – I; or if no qualified and suitable member is available for such promotion, promotion from a post in the next lower rate or scale of pay further below; or direct recruitment (which in the case of Court Clerk in the Office of the Administrator – General and Official Trustee, may also be from registered Advocates' Clerks or Estate Clerks; or For special reasons, recruitment by transfer from any other service.

Administrator – General & Official Trustee, Madras. Typists and Steno- Typists. 7. Examiners and Readers in the Presidency Court of Small Causes, Madras and in the City Civil Court, Madras. 8. Shroff in the Presidency Court of Small Causes, Madras. Assistant Shroff in the Presidency Court of Small Causes, Madras.	

*** <u>CLASS -IA (OMITTED SROB 81/98)</u>**

<u>CLASS – II</u>

1. Bailiff, Court of Small Causes, Court Keeper, City Civil Court, Madras. 2. Senior Bailiffs of the Presidency Court of Small Causes, Madras. 3.Junior Bailiffs 4.Process Writers.	Promotion from a post on the next lower rate or scale of pay in Class II; or If no qualified and suitable member is available for such promotion, promotion from the post in Class III; or If no qualified and suitable member is available for promotion, as prescribed above, direct recruitment; or For special reasons, recruitment by transfer from any other service. Direct recruitment; or for special reasons, recruitment by transfer from any other service. Preference shall be given to Peons, Process Servers, Duffadars, Chobdars, Electric Lift Operators and Attenders serving in the Judicial Department including the Madras High Court Service and the Madras High Court Official Assignee Service.

<u>CLASS – III</u>

1. Copyists in the Presidency Court of Small Causes, Madras, the Courts of Metropolitan Magistrate's, Madras.	Direct recruitment; or for special reasons, recruitment by transfer from any other service.

<u>CLASS – IV (MUFASSAL COURTS)</u>

<u>FOR CATEGORIES 1 TO 4</u> :-

1. Sarishtadars of District Court and Chief Judicial Magistrates' Courts.	Promotion from a post on the next lower rate or scale of pay in Class IV; or
2.Sarishtadars of Subordinate Judges' Courts. Head Clerks of District Courts. Central Nazirs. 3.Head Clerks of Chief Judicial Magistrates' Courts. Head Clerks of Subordinate Judges' Courts. * Superintendent of Labour Courts, Madurai and Coimbatore.*Added SROB 81/98 Head Clerks of Sub Divisional Judicial Magistrates' Courts. Head Clerks of District Munsif's Courts. Record Keepers of the District Courts. Senior Superintendent of Copyists. Deputy Nazirs. Translators.	If no qualified and suitable member is available for such promotion from a post on the next lower rate or scale of pay further below; or If no qualified and suitable member is available for promotion, direct recruitment or recruitment by transfer from any other service; Provided that wherever a vacancy arises in the post of Sarishtadar of Chief Judicial Magistrates' Court, the Chief Judicial Magistrate shall request the District Judge concerned, or where there are more than one District Judge in an area over which Chief Judicial Magistrate exercises jurisdiction, such District Judges, to nominate a suitable candidate from among the members of Class IV of the service in his district or their districts, as the case may be, and appoint the best candidate to that vacancy. In making the nomination, the District Judge or the District Judges, as the case may be, shall follow the rules regulating promotion to Category 1 of Class IV of the service as if the vacancy has arisen in his or their office or offices. All appointments to the posts of Sarishtadars in the Chief Judicial Magistrates' Courts shall be reported to the High Court for necessary sanction under rule 40.
4. Record Keeper, Subordinate Judges' Court, Ootacamund. First Clerk, District Court, Coimbatore. One Bench Clerk in each of the District Courts and Subordinate Judges' Courts. Assistants.	-

Category 5:- Junior Assistants Assistant Nazirs Junior Superintendent of Copyists Typists Steno-typists.	Promotion from Assistant Superintendent of Copyists, Examiners, Senior Bailiffs, Readers and Copyists; or direct recruitment; or For special reasons, recruitment by transfer from any other service.

CATEGORY 6: Assistant Superintendents of Copyists. Examiners Readers	Promotion from Senior Bailiffs and Copyists or direct recruitment; or for special reasons, recruitment by transfer from any other service.

CLASS – V

Senior Bailiff Copyists	Direct recruitment; or recruitment by transfer from the category of peons and Process peons of the Tamil Nadu Last Grade service or of the Attenders in Class XXII of the Tamil Nadu General Subordinate Service serving in the Judicial Department; or for special reasons, recruitment by transfer from any other service.

(b) Appointments to categories 1 to 5 of Class I shall be made from a consolidated seniority list maintained for all City Courts and Offices governed by these rules. When the member to be appointed with reference to the list is in the office different from the one where the vacancy occurs, the appointing authority shall send the order of appointment to the head of that office through the Registrar, High Court, Madras. All appointments in Class – I shall be reported to the High Court.

* (c) (i) The Principal District Judge or the District Judge where there is no Principal District Judge shall maintain the combined seniority list for the posts under Class IV and Class V in Civil Courts, Criminal Courts, Labour Courts, Family Courts, Special Courts for Essential Commodities Act and Narcotic Drugs and Psychotrophic Substances Act, Special Court for Protection of Civil Rights Act and Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and in any other Special Courts or Tribunals formed in each district.

(ii) All appointments, promotions, reversions, re-appointments, confirmations and transfers shall be made by the Principal District Judge or the District Judge where there is no Principal District Judge in the entire District.

(iii) All appointments to category 1 of Class -IV shall be

reported to the High Court.

* (C (i) to (iii) Substituted vide G.O.Ms.No.543, Home (Courts V) Department dated 25.6.02)

EXPLANATION (I) :-

The consolidated seniority list referred to in sub-rule (b) shall contain the names of all members in posts on the different scales of pay. For making promotions under sub-rule (a) to categories 1 to 5 of Class – I in an office, the appointing authority concerned shall consider only the names of full members in other offices along with those of the members of his own establishment who are holding (whether in a substantive or officiating capacity) posts on the scales of pay from which promotion has to be made.

EXPLANATION (II) :-

Suppose a vacancy in the post of Assistant in the Chief Judicial Magistrate's Court, Kumbakonam arises, the appointment should be made from the consolidated seniority list maintained for all the courts under the jurisdiction of the Chief Judicial Magistrate and all the courts under jurisdiction of the District Judge, West Thanjavur in whose jurisdiction Kumbakonam is situated. Suppose A and B are the persons in the order of seniority in category 5 as follows:-

'A' serving in the Criminal Unit.
'B' serving in the Civil Unit.

Assuming that the merits are equal, the senior most member, namely, 'A' should be appointed. Suppose some time later a vacancy in the post of Assistant in the civil unit occurs, for this 'B' should be appointed. Suppose further that some time after this appointment of 'B' the vacancy in the post of Assistant ceases but the post of Assistant in the civil unit continues, then 'A' should be appointed to that post reverting 'B' to his original place and category in the civil unit.

EXPLANATION (III) :-

'A' is serving as Junior Assistant in the criminal unit in category – 5. 'B' is serving as Junior Assistant in the civil unit in Category – 5 . 'A' is senior. Suppose a vacancy arises in the post of Assistant in the civil unit (category -4). Assuming that the merits are equal, "A" should be appointed to that vacancy being senior to 'B'. Suppose a vacancy arises later in the post of Assistant in the criminal unit , 'B' should be appointed ('A' continuing). Suppose some time later, the vacancy in the post of Assistant in the civil unit ceases, while the vacancy in the criminal unit continues 'A' should be appointed to that vacancy reverting 'B' to his original civil unit in category-5.

EXPLANATION (IV) :-

Confirmation should be made on the basis of seniority irrespective of the unit. Thus in the Explanation (ii) and (iii) above 'A' should be confirmed in the unit where the permanent vacancy arises, whether it is civil or criminal.

7. APPOINTMENT OF MEMBERS OF ONE CLASS TO A POST IN ANOTHER CLASS :-

Notwithstanding anything contained in rule 6, a member of one-class of the service may be appointed with the sanction of the High Court to a post in another class of the service, if under these rules appointment to such post may be made by transfer from any other service.

8 (a) PROMOTION :-

Promotion to the following posts shall be made on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal;

CLASS – I

CATEGORY:-

1. Sarishtadar of the City Civil Court, Madras.
   Sarishtadar of the Chief Metropolitan Magistrate's Court, Madras.

2. Deputy Registrar, Presidency Court of Small Causes, Madras.

3. Chief Clerks of the Metropolitan Magistrate's Courts at George Town and Saidapet.
   Head Clerk, City Civil Court, Madras.
   Superintendents of the Office of the Administrator General and Official Trustee, Madras.
   Manager of the Office of the Advocate General, Madras.
   Central Nazir, Presidency Court of Small Causes, Madras.
   Manager of the Office of the Government Pleader, Madras.
   Manager of the office of the Public Prosecutor, Madras.
   Head Clerks in the Office of the Administrator – General and Official Trustee, Madras.
   Superintendent, Labour Court, Madras. (Added SROB 81/98.)
   Head Ministerial Officer, Industrial Tribunal, Madras.(Added SROB 81/98.)

4. Interpreters, Presidency Court of Small Causes, Madras.
   Interpreters, Metropolitan Magistrate's Courts,
   Translators of the City Civil Court, Madras.
   Deputy Nazir of the Presidency Court of Small Causes, Madras.
   Chief Judge's Clerk of the Presidency Court of Small Causes, Madras.
   Head Accountant in the Presidency Court of Small Causes, Madras.
   Copyist Superintendent in the Presidency Court of Small Causes, Madras.

5. Accountant in the City Civil Court, Madras.
   Treasurer of the Presidency Court of Small Causes, Madras.
   Accountants in the Courts of the Metropolitan Magistrates.
   Accountants and Cashier in the Office of the Administrator General and Official Trustee, Madras.
   Assistants including Record Keeper and Schedule Clerk in the Office of the Administrator General and Official Trustee, Madras and Bench Clerks in the City Civil Court, Madras.
   Court and Deposit Keeper of the Presidency Court of Small Causes, Madras.
   Assistant in the Office of the Editor, Indian Law Reports, Madras.

Class I -A(Omitted. SROB 81/98).

CLASS IV
(MUFFASSAL COURTS)

CATEGORY :-

1. Sarishtadars of District Courts and Chief Judicial Magistrate's Courts.
2. Sarishtadars of Subordinate Judges' Courts.
   Head Clerks of District Courts.
   Central Nazirs.
3. Head Clerks of the Chief Judicial Magistrate's Courts.
   Head Clerks of the Subordinate Judge's Courts.
   Superintendents, Labour Courts, Madurai and Coimbatore. (Inserted SROB 81/98).
   Head Clerks of the Sub-Divisional Judicial Magistrate's Courts.
   Head Clerks of the District Munsif's Courts.
   Record Keepers of the District Courts.
   Senior Superintendent of Copyists.
   Deputy Nazirs.
   Translators.
4. Record Keeper, Subordinate Judge's Court, Ootacamund.
   First Clerk, District Court, Coimbatore.
   One Bench Clerk in each of the District Courts and Subordinate Judges' Courts.
   Assistants.

* (b) Appointment of a member to higher category not to be considered if he had been on leave for three or four years or more continuously:-

Notwithstanding anything contained in sub-rule (a), a member of the service who had been on leave for a period of three years continuously for any reason except for higher studies or for a period of four years continuously for higher studies, shall not be considered for appointment to a higher category either by promotion or by recruitment by transfer unless he has completed or completes service for a period of one year from the date on which he joins duty on return from leave.
* (Added P.Dis 157/88.)

9.(a) PROBATIONERS AND APPROVED PROBATIONERS :-
RIGHT OF APPOINTMENT :-

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

(b) JUNIOR ASSISTANTS :-
PROPORTION OF DIRECT RECRUITMENT OR TRANSFER AND PROMOTION:-

So far as qualified and suitable candidates are available, vacancies substantive or otherwise, in Category 5 as a whole of Class IV, that is to say, among Junior Assistants, Assistant Nazirs, Junior Superintendents of Copyists, Typists and Steno-typists taken together as a unit, shall be filled or reserved to be filled by:-

1. direct recruitment or recruitment by transfer from any other subordinate service and

2. promotion as mentioned in rule 6 from among Assistant Superintendent of Copyists, Examiners, Senior Bailiffs, Readers and Copyists in the proportion of 2:2.

(c) SENIOR BAILIFF, JUNIOR BAILIFFS AND PROCESS

WRITERS :-

PROPORTION OF DIRECT RECRUITMENT AND TRANSFER :-

So far as qualified and suitable candidates are available, vacancies, substantive or otherwise among Senior Bailiffs Junior Bailiffs and Process Writers shall be filled or reserved to be filled:-

1. by direct recruitment; and

2. recruitment by transfer from the category of Peons and Process Servers of the Tamil Nadu Last Grade Service or Attenders of the Tamil Nadu General Subordinate Service, serving in the Judicial Department in the proportion of 1:1.

(d) Where this rule prescribes, a proportion between different methods of recruitment in the filling up of vacancies, all vacancies in a category which have to be filled up by the same method or methods of recruitment shall, for the purposes of sub-rule (a) of this rule, rules 34 and 35 be deemed to be a separate category:

Provided that persons appointed prior to the 9th May, 1949, to posts for which a proportion between different methods of recruitment is prescribed by this rule shall not, irrespective of the method of their recruitment be adversely affected by this sub-rule.

10. APPOINTING AUTHORITY :-

The appointing authorities for the classes and categories specified in column (1) of Annexure I to these rules shall be the authorities specified in the corresponding entry in column (2) thereof.

The appointing authorities shall exercise their power subject to the control of the High Court.

11. REVISION OF ORDERS OF PROMOTION TO SELECTION POSTS :-

An order promoting a member of the service or class to a selection category or grade therein, made by a competent authority, may be revised by an authority to which an appeal would lie against an order of dismissal passed on a full member of the service, class, category or grade, as the case may be. Such revision may be made by the appellate authority, aforesaid either suo motu at any time, or on a petition submitted by any aggrieved member within six months from the date of passing the order.

Provided that the said period of six months may be extended by the appellate authority if sufficient cause is shown for the delay in the submission of petition.

12. RESERVATION OF APPOINTMENTS :-

(1) In making selection for appointments to each of the classes or categories specified in column (2) of the Table below in the courts or offices specified in the corresponding entries in column (1) thereof, out of every fifty vacancies, nine shall be reserved for the Scheduled Castes and Scheduled Tribes and twenty five shall be reserved for the Backward Classes and the remaining sixteen shall be filled on the basis of merit.

Provided that the said rule of reservation of appointment shall apply at the time of direct recruitment to each of the classes or categories specified in column (2) of the Table below the cadre strength of which is ten and above.

TABLE

Court or Office taken as a Unit	Class or Category
1. City Civil Court 2. Presidency Court of Small Causes. 3. Courts of Metropolitan Magistrates taken together as a single unit. 4. Office of the Administrator – General and Official Trustee. 5.Labour Court, Madras. 6. Industrial Tribunal, Madras.	I.6. Junior Assistants incluidng the Ledger-Keepers and Court-Clerks in the Office of the Administrator-General and Official Trustee. Typists and Steno- typists.
7. Muffassal Courts (those in the Jurisdiction of a District Judge or a Chief Judicial Magistrate being taken as a single unit) and the Labour Courts at Madurai and Coimbatore.	IV.5. Junior Assistants, Assistant Nazirs, Junior Superintendents of Copyists, Typists and Steno-typists. 6. Assistant Superintendent of Copyists, Examiners, Readers. V. 2. Copyists.

(2) Selection for appointment to the Classes and categories specified in sub-rule (1) be made on the following basis namely:-

(a) In making appointments to the posts mentioned in column 2 of the table under sub rule (1) above, the post of Typists including Steno-typists and all other posts mentioned in category 6 of Class I or category 5 of Class IV, as the case may be, shall be taken separately and separate rosters shall be maintained for these posts.

(b) The claims of members of the Scheduled Castes and Scheduled Tribes and the Backward Classes shall also be considered for appointments to the 16 vacancies which shall be filled on the basis of merit and where a candidate belonging to the Scheduled Caste, Scheduled Tribe or a Backward Class is selected on the basis of merit, the number of posts reserved for the Scheduled Castes and Scheduled Tribes or Backward Classes, as the case may be shall not, in any way be affected.

(c) Selection for appointment under this rule shall be made in the following order of rotation:-

1.Open Competition
2.Scheduled Castes and Scheduled Tribes
3.Backward Classes
4.Open Competition
5.Backward Classes
6.Open Competition
7.Backward Classes
8.Scheduled Castes and Scheduled Tribes
9.Backward Classes
10.Open Competition
11.Backward Classes

12.Open Competition
13.Backward Classes
14.Scheduled Castes and Scheduled Tribes
15.Backward Classes
16.Open Competition
17.Backward Classes
18.Open Competition
19.Backward Classes
20.Scheduled Castes and Scheduled Tribes
21.Backward Classes
22.Open Competition
23.Backward Classes
24.Open Competition
25.Backward Classes
26.Backward Classes
27.Scheduled Castes and Scheduled Tribes
28.Backward Classes
29.Open Competition
30.Backward Classes
31.Open Competition
32.Backward Classes
33.Scheduled Castes and Scheduled Tribes
34.Backward Classes
35.Open Competition
36.Backward Classes
37.Open Competition
38. Backward Classes
39.Scheduled Castes and Scheduled Tribes
40.Backward Classes
41.Open Competition
42.Backward Classes
43.Open Competition
44.Backward Classes
45.Scheduled Castes and Scheduled Tribes
46.Backward Classes
47.Open Competition
48.Backward Classes
49.Scheduled Castes and Scheduled Tribes
50.Backward Classes

Provided that this clause shall not apply to promotion or to the first appointment of a person recruited by transfer; but when a person recruited by transfer is appointed as a full member in a vacancy, such appointment shall be taken into account for the purpose of the unit of fifty vacancies prescribed;

Provided also that this clause shall not apply to the appointment to the post of Court Clerk in the Office of the Administrator General and official Trustee recruited from registered Advocates' clerks or Estate Clerks.

(d) If a qualified and suitable candidate belonging to any of the Scheduled Castes and Scheduled Tribes or the Backward Classes is not available for selection for appointment in the turn allotted for them in the cycle, the turn will lapse and the vacancy shall be filled in by the next turn in the order of rotation. No account shall be taken of any lapsed turn of Scheduled Castes and Scheduled Tribes or of the Backward Classes.

EXPLANATION :-

In respect of posts within the purview of the Commission, the rotations hitherto followed shall be continued until the 31st March 1969 and roasters shall be started afresh from 1st April 1969.

13. METHOD OF APPOINTMENT BY DIRECT RECRUITMENT :-

The method of appointment by direct recruitment is prescribed in Annexure II to these rules.

14. LEVY OF APPLICATION FEES FROM CANDIDATES APPLYING TO THE PUBLIC SERVICE COMMISSION :-

Every candidate for appointment to the service who in response to a notification issued by the Public Service Commission makes an application shall remit the fee prescribed below through Crossed Postal Orders payable to the Secretary, Tamil Nadu Public Service Commission, Tamil Nadu, and shall send the Crossed Postal Orders therefor to the said Commission with his application:-

(a) Applicants for competitive examination comprising only an oral test in the shape of an interview Rs.10/- each.

(b) Applicants for competitive examination comprising only a written test – Rs. 10/- each for the group of services in which the Tamil Nadu Judicial Ministerial Service has been included by the State Government for the purpose of a common competitive examination:-

Provided that this rule shall not apply to a candidate belonging to any of the Backward Classes who has passed the Intermediate Examination in Arts or has taken a degree whatever may be the post or service with reference to which the application is made.

Provided further that this sub rule shall not apply to candidates who have rendered war service.

Provided further that this rule shall not apply to a candidate belonging to any of the Scheduled Castes or Scheduled Tribes whatsoever may be the post or service with reference to which the application is made.

Provided also that this sub-rule shall not apply to the Candidates who are repatriates from Burma or Ceylon.

EXPLANATION:-

The examination for the group of services referred to in item (b) under this sub-rule will be a combined one for the purpose of filling vacancies in the services included in that group. A candidate may apply to be admitted to all or any of the services in that group. If he wishes to be admitted as a candidate for more than one service in the group he need send in only one application. He will not be required to pay separate fees for each service in that group for which he applies.

The inclusion of a candidates name in any list of approved candidates for any class or category in the service shall not confer on him any claim to appointment in that class or category:-

Provided also that the concession under the first proviso shall be restricted to two free chances in the case of candidates belonging to any of the Backward Classes.

15. (a) SPECIAL RECRUITMENT IN 1952:-

Notwithstanding anything contained in these rules, a person (who is not a member of any approved service), employed in the Civil Supplies, Textile Control or Settlement of Estates Department or in the Office of the Director of Controlled Commodities, who passes the Special Examination conducted by the Commission in February or June, 1952 shall be eligible for regular appointment as Junior Assistant, Typist or Steno-typist, as the case may be, in the service. Every such person shall be appointed in his due turn to the post for which he has been selected with effect from the date on which he would have been so appointed but for his absence on other duty. He shall commence probation and acquire seniority from the date of appointment in the department concerned. After such appointment, he shall be permitted to continue in the post held by him until such time as his services are required and to count only the last continuous spell of his temporary service for increment in the post to which he was appointed.

(b) SPECIAL RECRUITMENT IN 1955 :-

Notwithstanding anything contained in these rules, a person in the Department of Civil Supplies or Settlement of Estates (including Board of Revenue (Settlement of Estates), Office of the Director of Settlements, Settlement Parties and Offices of the Estate Managers but excluding retained ex-Estate employees) or Food Production (including the office of the Engineering Branch) or in the office of the late Director of Controlled Commodities and who was specially admitted to the competitive examinations conducted by the Tamil Nadu Public Service Commission in October, 1955 and who passes the said examination shall be eligible for regular appointment as Junior Assistant, Typist or Steno-typist as the case may be, in this service. Every such person shall be appointed in his due turn to the post for which he is selected by the Commission. He shall commence probation and acquire seniority from the date of the appointment in the unit concerned in this service. The service rendered by him prior to the date of his regular appointment in this service shall not count for probation, seniority or increment.

(c) SPECIAL RECRUITMENT IN OCTOBER 1957 :-

Notwithstanding anything contained in these rules, any person retrenched from the Survey Department who has been specially admitted to the competitive examination conducted by the Commission in October 1957 and passes the said examination shall be eligible for regular appointment as Junior Assistant, Typist or Steno-typist, as the case may be, in this service. Every such person shall be appointed in his proper turn to the post for which he is selected by the Commission. He shall commence probation and acquire seniority from the date of such appointment in the appropriate unit in this service. The service rendered by him prior to the date of his regular appointment in this service shall not count for probation, seniority or increment.

(d) SPECIAL RECRUITMENT IN OCTOBER 1962 :-

Notwithstanding anything contained in these rules, any person from the Survey and Land Records Department who was specially admitted to the competitive examination conducted by the Commission in October, 1962 and who passed the examination shall be eligible for regular appointment as Junior Assistant, Typist or Steno-Typist, as the case may be, in this service. Every such person shall be appointed in his proper turn to the post for which he is selected by the Commission. He shall commence probation with effect from the date of his joining duty and acquire seniority with reference to the approved list in the appropriate unit in this service. The service rendered by him prior the date of his regular appointment in this service shall not count for probation, seniority or increment.

(e) SPECIAL RECRUITMENT OF TEMPORARY CLERKS AND SETTLEMENT INSPECTORS IN THE SETTLEMENT DEPARTMENT :-

Notwithstanding anything contained in these rules, a temporary clerk or Settlement Inspector in the Settlement Department who is specially admitted to the competitive examination conducted by the Tamil Nadu Public Service Commission, during the years, 1962, 1963 and 1964 and who passes the said examination shall be eligible for regular appointment as Junior Assistant, Typist or Steno-typist, as the case may be, in this service. Every such person shall be appointed in his proper turn to the post for which he is selected by the Commission. He shall commence probation and acquire seniority from the date of such appointment in the appropriate unit in this service. The service rendered by him prior to the date of his regular appointment shall not count for probation, seniority or increment.

(f) SPECIAL RECRUITMENT IN OCTOBER 1965 AND IN OCTOBER 1966 :-

Notwithstanding anything contained in these rules, a person of the Survey and Land Records Department governed by the Tamil Nadu Survey and Land Records Subordinate (Temporary) Service Rules who is specially admitted to the competitive examinations conducted by the Tamil Nadu Public Service Commission in October, 1965 and in October, 1966; and who passes the said examinations shall be eligible for regular appointment as Junior Assistant, Typist, Steno-typist, as the case may be, in this service. Every such person shall be appointed in his due turn to the post for which he is selected by the Commission. He shall commence probation and acquire seniority from the date of appointment in the unit concerned in this service. The service rendered by him prior to the date of his regular appointment in this service shall not count for probation, seniority or increment.

(g) SPECIAL RECRUITMENT IN DECEMBER 1965 :-

Notwithstanding anything contained in these rules, a person from the Survey and Land Records Department (including Survey Parties, Range Offices and Central Survey Office) who was specially admitted to the competitive examination conducted by the Tamil Nadu Public Service Commission in December 1965, and who passes the said examination shall be eligible for regular appointment as Junior Assistant, Typist or Steno-typist, as the case may be, in this service. Every such person shall be appointed in his proper turn to the post for which he is selected by the Commission. He shall commence probation with effect from the date of his joining duty and acquire seniority with reference to the approved list in the appropriate unit in this service. The service rendered by him prior to the date of his regular appointment in this service shall not count for probation, seniority or increment.

(h) SPECIAL RECRUITMENT OF TEMPORARY JUNIOR ASSISTANTS AND SETTLEMENT INSPECTORS IN THE SETTLEMENT DEPARTMENT :-

Notwithstanding anything mentioned in these rules, a temporary Junior Assistant or Settlement Inspector in the Settlement Department who is specifically admitted to the competitive examination conducted by the Tamil Nadu Public Service Commission during the year 1965, 1966 and 1967 and who passes the said examination shall be eligible for regular appointment as Junior Assistant, Typist or Steno-typist, as the case may be, in this service. Every such person shall be appointed in his proper turn to the post for which he is selected by the Commission. He shall commence probation and acquire seniority from the date of such appointment in the appropriate unit in this service. The service rendered by him prior to the date of his regular appointment shall not count for probation, seniority or increment.

(i) SPECIAL RECRUITMENT IN 1966, 1967 AND 1968 :-

Notwithstanding anything contained in these rules, a person from the Survey and Land Records Department (including Survey parties, Range Offices and Central Survey Office) who has been or is

specifically admitted to the competitive examination conducted by the Tamil Nadu Public Service Commission in the year 1966 or 1967 or 1968 and who passes the said examination shall be eligible for regular appointment as Junior Assistant, Typist or Steno - typist, as the case may be, in this service. Every such person shall be appointed in his proper turn to the post for which he is selected by the Commission. He shall commence probation with effect from the date of his joining duty and acquire seniority with
reference to the approved list in the appropriate unit in this service. The service rendered by him prior to the date of his regular appointment in this service shall not count for probation, seniority or increment.

SPECIAL RECRUITMENT OF TEMPORARY JUNIOR ASSISTANTS AND SETTLEMENT INSPECTORS IN THE SETTLEMENT DEPARTMENT :-

Notwithstanding anything contained in these rules, a temporary Junior Assistant or Settlement Inspector in the Settlement Department who is specifically admitted to the competitive examination conducted by Tamil Nadu Public Service Commission during the years 1968 to 1971 and who passes the said examination shall be eligible for regular appointment as Junior Assistant, Typist or Steno-Typist, as the case may be, in this service. Every such person shall be appointed in his proper turn to the post for which he is selected by the Commission. He shall commence probation and acquire seniority from the date of such appointment in the appropriate unit in this service. The Service renders by him prior to the date of his regular appointment shall not count for probation, seniority or increment.

(j) SPECIAL RECRUITMENT OF TEMPORARY JUNIOR ASSISTANTS AND SETTLEMENT INSPECTORS IN THE SETTLEMENT DEPARTMENT :-

Notwithstanding anything contained in these rules, a temporary Junior Assistant or Settlement Inspector in the Settlement Department who is specifically admitted to the competitive examination conducted by the Tamil Nadu Public Service Commission during the year 1968 to 1971 and who passes the said examination shall be eligible for regular appointment as Junior Assistant, Typist or Steno-typist, as the case may be, in this service. Every such person shall be appointed in his proper turn to the post for which he is selected by the Commission. He shall commence probation and acquire seniority from the date of such appointment in the appropriate unit in this service. The service rendered by him prior to the date of his regular appointment shall not count for probation, seniority or increment.

(k) SPECIAL RECRUITMENT OF TEMPORARY JUNIOR ASSISTANTS AND TYPISTS IN THE SURVEY AND LAND RECORDS DEPARTMENT:-

Notwithstanding anything contained in these rules or in the General Rules, a temporary Junior Assistant or Typist in the Survey and Land Records Department, who has not put in five years of service as on the 1st January, 1969 and who has put in a minimum period of two years of service (which need not necessarily be continuous) on the date of submission of the application to the Tamil Nadu Public Service Commission, shall be eligible for admission to the Competitive Examination to be conducted by the Tamil Nadu Public Service Commission in 1972 and 1973. Successful candidates shall be allotted by the Commission with reference to their position in the examination list, if their turn is reached, to a departmental unit taking into account the order of preference expressed by them in their applications and in accordance with the order or rotation prescribed in Rule 12. He shall commence his probation from the date of his joining duty and acquire seniority with reference to the approved list in the Department unit concerned. The service rendered by him prior to the date of his regular appointment shall not count for probation, seniority or increment.

16. TEMPORARY APPOINTMENTS :-

(a) (i) Where it is necessary in the public interest owing to an emergency which has arisen to fill immediately a vacancy in a post borne on the cadre of the service 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.

(ii) No appointment under clause (i) shall ordinarily be made of person who does not possess the qualifications, if any, prescribed for the post. Every person who does not possess such qualifications and who has been or is appointed under clause (i) shall be replaced as soon as possible by a person possessing such qualifications.

(b) Where it is necessary to fill a short vacancy in a post borne on the cadre of service, and the appointment of the person who is entitled to such appointment under these rules would involve excessive expenditure on travelling allowance or exceptional administrative inconvenience, the appointing authority may appoint any other person who possesses the prescribed qualifications, if any.

(c) A person appointed under Sub-rule (a) shall, whether or not he possesses the qualifications prescribed for the post to which he is appointed, be replaced as soon as possible by a member of the service or an approved candidate qualified to hold the post under these rules.

(d) Where it is necessary to appoint a person against whom an enquiry into allegations of corruption or misconduct is pending, the appointing authority may appoint him temporarily pending enquiry into the charges against him. The appointing authority shall have discretion to make regular appointments in suitable cases.

(e) (i) A person appointed under sub-rule (a), (b) or (d) to a post borne on the cadre of the service, shall not be regarded as an probationer or be entitled by reason only of such appointment to any preferential claim to future appointment, the services of such a person in the post shall be liable to be terminated by the appointing authority at any time without notice and without any reason being assigned.

(ii) If a person is appointed temporarily under sub-rule (a), (b) or (d) to Rule 16 to fill a vacancy in any service, class or category otherwise than in accordance with the rules governing appointment thereto, such vacancy being a vacancy which may be filled by direct recruitment, is subsequently appointed to the service, class or category in accordance with the rules, he shall commence his probation, if any, in such category either from the date of his first temporary appointment or from such subsequent date as the appointing authority may determine. If the post is one to which appointment may be made by transfer, and the person who had been appointed thereto under sub-rule (a), (b) or (d) is subsequently recruited thereto by transfer and included in the list of approved candidates, the appointing authority may in his discretion, allow such person to commence his probation if any, from the date of his first temporary appointment or from such subsequent date, as the appointing authority may determine. Provided that on the date so determined, the person possesses all the qualifications prescribed for appointment to the service, class or category, as the case may be.

(iii) A person who commences probation under Clause (ii) shall also be eligible to draw increments in the time scale of pay applicable to him from the date of commencement of his probation. Where commencement of probation is ordered from a date earlier than the date of the order and if this has not been enabled by relaxation of any rule, he shall draw increments, including arrears, in the time scale of pay applicable to him from such earlier date. The appointing authority shall include a provision to this effect while issuing orders in all such cases.

(f) There shall be paid to the person appointed under sub-rule (a) the highest of the following rates of pay:-

(i) his substantive pay; or

(ii) the minimum of the time scale of pay applicable to the post held temporarily under sub-rule (a); or

(iii) the officiating pay which he would have drawn from time to time in the post regularly held by him immediately prior to the temporary appointment under sub -rule (a):

Provided that for the purpose of drawing pay under clause (iii), a certificate to the effect that but for such temporary appointment, the incumbent would have continued to officiate in the post held by him immediately prior to the temporary appointment, shall be issued by the appointing authority for the officiating post. When the incumbent has to be allowed an increment in the time scale of pay applicable to the officiating post, the appointing authority shall again issue a certificate to the effect that but for his present temporary appointment, the incumbent would have continued to act in the officiating post and drawn the increments, indicating the date and stage of increments in such officiating posts.

(ff) A person fully qualified under the rules to hold a post borne on the cadre of a service, class or category who has rendered temporary service for a continuous period of three years, and whose pay is regulated under clause (ii) of sub -rule (f), shall be eligible for the first increment in the scale of pay for the post on completion of a duty period of one year reckoned from the day following the completion of the three years of temporary service and subsequent increments on completion of requisite periods for earning such increments, subject to the condition that the rules do not prescribe any special qualification to be acquired as a condition precedent to the drawl of such increments. The increments so drawn shall be adjusted if and when the person is subsequently appointed in accordance with the rules;

EXPLANATION – I :-

Continuous temporary service rendered prior to the 26th May, 1962 shall also be taken into account for the purpose of this sub-rule.

EXPLANATION – II :-

Leave other than extraordinary leave, taken on or after the 8th June 1962 shall be treated as service for the purpose of this sub-rule. Leave taken prior to the 8th June 1962 shall be treated as service in accordance with the provisions of Fundamental Rule 26 (bb) as it stood prior to the 8th June 1962.

EXPLANATION – III :-

Increments sanctioned under the clause shall not be ordered with effect from a date prior to the 26th May 1962.

17.QUALIFICATIONS :-

(a) No person shall be eligible for appointment by direct recruitment unless he satisfies the Commission in cases where the appointment has to be made in consultation with it or the appointing authority, in other cases:-

(i) that his character and antecedents are such as to qualify him for such service; and
(ii) that such a person does not have more than one wife living, or if such a person is a woman, that she is not married to any person who has a wife living.
(iii) No person shall be eligible for appointment to this service by direct recruitment, unless he satisfies the appointing authority regarding his physical fitness for the post for which production of physical fitness certificate is prescribed, whether such post is within or outside the purview of the Tamil Nadu Public Service Commission;

Provided that physically handicapped persons may be appointed, if the defect is not such as would render the candidates unfit for efficiently discharging the duties attached to the post and their fitness for service shall be assessed on the basis of the nature and degree of their disability and their functional capacity relative to the post which they seek appointment.

(b) No candidate shall be eligible for appointment unless he is:-

(i) a citizen of India ; or
(ii) a subject of Sikkim; or
(iii) a subject of Nepal; or
(iv) a subject of Bhutan; or
(v) a Tibetan refugee who came over to India before 1st January, 1962 with the intention of permanently settling in India ; or
(vi) a person of Indian origin who has migrated from Pakistan, Burma, Ceylon or any of the East African countries of Kenya, Uganda or the United Republic of Tanzania (formerly Tanganyika and zanzibar) with the intention of permanently settling in India.

Provided that a candidate belonging to categories (iii), (iv), (v) and (vi) shall be a person in whose favour a certificate of eligibility has been given by the State Government.

A candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Tamil Nadu Public Service Commission or other recruiting authority and he may also provisionally be appointed subject to the necessary certificate being given to him by the Government of India.

(c) The age limit prescribed in these rules shall not apply:-

(i) to the appointment of a candidate who is a member of the Scheduled Castes , Scheduled Tribes or Backward Classes to a post for which these rules prescribe a qualification lower than the degree of B.A. or B.Sc., of a University, recognised by the Central University Grants Commission, if such candidates possess a general educational qualification which is higher than the minimum general educational qualification and he is other wise qualified for appointment; or

(ii) to the appointment to a post of a candidate who is a member of the Scheduled Castes, Scheduled Tribes or Backward Classes who holds a degree of a University recognised by the Central University Grants Commission or any other degree recognised as being equivalent to such a degree:-

1. by the Commission in cases where the appointment has to be made in consultation with it; and

2. by the State government or by the appointing authority with approval of the State Government in other cases, if the degree he holds is not lower than the

degree, if any, prescribed in these rules for appointment to such post and if he is other wise qualified for appointment; or

(iii) to the appointment in special circumstances to be recorded in writing of a person selected for appointment to a class or category to another class or category or of a person selected from another service to this service, if the qualifications prescribed for either service, class or category, as the case may be, are identical or

(iv) to the appointment to the post of Court clerk in the office of the Administrator General and Official Trustee, or registered Advocates' Clerks and Estate Clerks.

(d) (i) In the case of a candidate who has rendered war service the period of his war service shall be excluded in computing his age for appointment.*

(ii) A Candidate who is appointed temporarily under clause (i) of sub-rule (a) of rule 16 and takes up for military duty shall, on discharge from such military duty be entitled to deduct the period of his military duty for the purpose of computing his age for appointment.

(e) A person already in service who does not posses the minimum general educational qualification prescribed in the Schedule to the General Rules for the time being in force but who is certified by the High Court to be otherwise deserving of appointment as full member or promotion or transfer as the case may be, shall be deemed to possess the minimum general educational qualification if he appears for the examination of the S.S.L.C. Standard conducted by the commission and obtains the minimum percentage of marks specified below:-

***Omitted P. Dis 80/91**

* Serial Number (1)	Subject for the Examination (2)	Minimum Percentage of marks (3)
	English	35
	General Knowledge	35

(f) Omitted P Dis 80/91

(g) In the case of extra temporary employees already discharged or facing retrenchment from the Census Organisation in the State of Tamil Nadu a period of three years shall be excluded in computing their age for appointment provided they have rendered a temporary service of at least six months in the Census Organisation in the Tamil Nadu State.

* Table Substituted P.91/86

Provided that persons availing themselves of the concession under this sub-rule shall be eligible for only one chance to appear for the competitive examinations conducted by the Tamil Nadu Public Service Commission. (G.O.Ms.No.590, Home dated 29/02/72).

(h) A person who immediately before the 1st November 1956. was serving in connection with the affairs of the former State of Travancore-Cochin and who is allotted to the State of Tamil Nadu for Service shall, if he possess the minimum general educational qualification as prescribed in the rules of the former State of Travancore-Cochin be deemed to possess the minimum general educational qualification referred to in the Schedule I to the General Rules.

EXPLANATION :-

For the purpose of this sub-rule, minimum general educational qualification of the former State of Travancore-Cochin shall be a mere pass in the E.S.L.C. Or S.S.L.C. Examination without the requirement of any minimum marks in any subject.

(i) Any person who on or before the 31st March, 1958 has passed the E.S.L.C. Or the S.S.L.C. Examination conducted under the authority of the Government of Travancore-Cochin or Kerala shall be deemed to possess the minimum general educational qualification, notwithstanding that such person may not have obtained any minimum marks in any subject.

18. AGE QUALIFICATION :- (a)

(i) A candidate who is not a member of the Scheduled Castes or Scheduled Tribes shall not be eligible for inclusion of his name in any of the list of candidates approved for appointment by direct recruitment to the following posts if he will have completed * 30 years of age on the first day of July of the year in which the examination or the selection on the results of which that list is prepared is held or made:-

Provided further that in respect of selection made to the posts of Junior Assistants, Typists and Steno-typists in 1975, the age limit shall be reckoned with reference to the first day of July, 1974.
* Substituted ROC No.13788/89/C.1

CLASS – I

Category:-

6. Junior Assistants including the following:
   Ledger-Keeper and Court Clerk, Office of the Administrator General & Official Trustee, Madras.
   Typists & Steno-Typists.

7. Examiners and Readers, in the Presidency Court of Small Causes and in the City Civil Court, Madras. Examiners of the Metropolitan Magistrate's Courts, Madras.

8. (i) Shroff in the Presidency Court of Small Causes, Madras.
   (ii) Assistant Shroff in the Presidency Court of Small Causes.

"CLASS I-A. (OMITTED SROB 81/98)

CLASS – II
(CITY COURTS)

CATEGORY :-

1.Bailiff, Court of Small Causes–cum-Court Keeper, City Civil Court, Madras.
2.Senior Bailiffs of the Presidency Court of Small Causes, Madras.
3.Junior Bailiffs of the Presidency Court of Small Causes, Madras.
4.Process Writers of the Presidency Court of Small causes, Madras.

CLASS – III
(CITY COURTS)

Copyists in the Presidency Court of Small Causes and the Courts of Metropolitan Magistrates, Madras.

CLASS – IV

Category:-

5. Junior Assistants
Assistant Nazirs
Junior Superintendent of Copyists
Typists
Steno-typists
6. Assistant Superintendent of Copyists
Examiners
Readers

CLASS – V
(MUFASSAL COURTS)

Senior Bailiff
Copyists

Provided that this class shall not apply to the appointment to the post of Court Clerk in the office of the Administrator General and Official Trustee or registered Advocate's Clerks and Estate Clerks.

(ii) A Candidate who is a member of the Scheduled Castes or Scheduled Tribes shall not be eligible for inclusion of his name in any such list, if he will have completed * 35 years of age on such date.

(b) A candidate shall not be eligible for inclusion of his name in the list of candidates for appointment by direct recruitment to a post other than the posts referred to in sub-rule (a), if he will have completed * 30 years of age on the first day of July of the year in which the examination or the selection on the results of which that list is prepared, is held or made;

Provided that, if he belongs to any of the Scheduled Castes or the Scheduled Tribes, he will be eligible for inclusion in such list, if he will not have completed * 35 years of age on that date.

NOTE :-

A candidate shall be eligible for inclusion of his name in the list of approved candidates drawn by the Commission on the results of the competitive examination conducted in February 1952 if he has not attained the prescribed age on the first day of July, 1951.

*** Substituted ROC 13788/89 C.1**

19. SPECIAL AND GENERAL EDUCATIONAL QUALIFICATION:-

No person shall be eligible for appointment to the posts specified in column (1) of the table below by the method specified in column (2) unless he possesses the qualifications specified in column (3) thereof:-

TABLE

1	2	3
1.Superintendent in the Office of the Administrator–General and Official Trustee.	Direct recruitment or recruitment by transfer from any other service or promotion.	Must hold the degree of B.A. or B.Sc., or B.Com. of a University recognized by the Central

		University Grants Commission; or Must possess experience of official correspondence and precise writing for a period of not less than three years
2. (a) Any post in classes I & II other than the post of Superintendent or Court Clerk (When recruited direct from registered Advocate's Clerks and Estate Clerks) in the Office of the Administrator – General and Official Trustee and the posts of Assistant Shroff, Junior Bailiffs, and Process-Writers in the Presidency Court of Small Causes, Madras.	Direct recruitment or recruitment by transfer or by promotion.	Minimum general educational qualification or a pass in the Indian Air Force Educational test for Re-classification to Leading Air Craftsman. * *(PROVISO CLAUSE Omitted SROB 197/93)

2(b) Omitted SROB 81/98 and the items 2(c), 2(d) and 2(e) are renumbered as items 2(b), 2(c), and 2(d);

** 2(b) Any post in Class IV and Copyist in Class V	Direct recruitment or recruitment by transfer or by promotion.	Minimum general educational qualification or a pass in the Indian Air Force educational testfor reclassification to Leading Air Craftsman: *** (Omitted SROB 197/93.
2.(c).Senior Bailiff	Direct recruitment or recruitment by transfer	Completed Secondary School Leaving Certificate. (Proviso Clause Omitted SROB 254/96)
2.(d). Junior Bailiffs and Process Writers.	Direct recruitment or recruitment by transfer.	Minimum General Educational qualification or a pass in the Indian Air Force educational test for reclassification to Leading Air craftsman. Provided that in the case of appointment by transfer from the Tamil Nadu Last Grade Service and Tamil Nadu General Subordinate Service the educational qualifications shall be completed Secondary School Leaving Certificate. Provided further that in the case of a person who was a member of the Tamil Nadu Last Grade Service or the Tamil Nadu General Subordinate Service before 1969, the educational qualification shall be anything higher than the minimum prescribed for the category to

		which the transferee belong before 1969.

NOTE:

A person who did not possess the minimum general educational qualification but who was appointed to the service under rule 5 (a) of the Tamil Nadu Civil Services (War Service Personnel) Recruitment Rules, 1941 shall be deemed to possess the minimum general educational qualification for purposes of promotion.

PROMOTION TO THE FOLLOWING POSTS IN CLASSES I AND IV :-
CLASS I :-

Sarishtadar of the City Civil Court, Madras.	Preference shall be given in the first instance to members who hold a degree in Law of the Madras University and then to members who hold the B.A. Or B.Sc., or B.Com., or any higher degree of any University recognized by the Central University Grants Commission besides being otherwise qualified and suitable for promotion.
Chief Clerks of the Courts of the Metropolitan Magistrates, Deputy Registrar of the Presidency Court of Small Causes. Head Clerks of the City Civil Court, Managers of the Offices of the Advocate-General, Government Pleader and Public Prosecutor. Superintendent, Labour Court Madras, Head Ministerial Officer, Industrial Tribunal, Madras. (Added SROB 81/98) **Class IA** (Omitted SROB 81/98)	Preference shall be given in the first instance to members who hold a degree in Law of the Madras University or the B.A. Or B.Sc., or B.Com., or any higher degree of a University recognized by the University Grants Commission besides being otherwise qualified and suitable for promotion.

CLASS IV Sarishtadars of District Courts and Chief Judicial Magistrate's Courts Sarishtadars of Subordinate Judges' Courts. Head Clerks of District Courts, Central Nazirs, Translators of District Courts. Superintendent of Labour Courts, Madurai and Coimbatore. Central Nazirs.(Added SROB 81/98) Translators of District Courts.	Preference shall be given in the first instance to members who hold a degree in Law of the Madras University or the B.A. Or B.Sc., or B.Com., or any higher degree of a University recognized by the University Grants Commission besides being otherwise qualified and suitable for promotion.

NOTE:-

A person who did not possess the minimum general educational qualification but who was

appointed to the service on the results of the Special Competitive Examination conducted by the Commission in 1951, shall be deemed to possess the minimum general educational qualification provided:-

(i) he appears for the examination of the S.S.L.C. Standard conducted by the Commission and

(ii) he obtains the minimum percentage of marks prescribed in the said examination in the following subjects:-

1. Essay, Part I, Regional Language only
2. Translation in two parts (from English to Regional language and Regional language to English)

20. MINIMUM GENERAL EDUCATIONAL QUALIFICATION :-
A PREFERENTIAL CLAIM :-

For appointment to any of the following posts, candidates possessing the minimum general educational qualification or those who have passed the pre university examination of a University in the State or those who have passed the Indian Air Force Educational Test for Re-Classification to Leading Aircrafts man shall be preferred.

CLASS -II
(CITY COURTS)

CATEGORY :-

1.Court and Deposit Keeper of the Presidency Court of Small Causes, Madras.
2.Bailiff, Court of Small Causes -cum-Court Keeper, City Civil Court, Madras.
3.Senior Bailiffs of the Presidency Court of Small Causes, Madras.
4.Junior Bailiffs of the Presidency Court of Small Causes, Madras.
5.Process Writers of the Presidency Court of Small Causes, Madras.

CLASS III AND IV

Copyists in the City Courts and Copyists in the Mufassal Courts.
Senior Bailiff

21. TYPISTS AND STENO-TYPISTS :-
PROMOTION OR TRANSFER AS CLERKS :-

Typists and Steno-typists shall not be eligible for promotion as Assistants or for transfer as Junior Assistants, unless they have passed the competitive examination held by the Commission by the full test prescribed for the group of service as constituted by the State Government for such examination, in which such Junior Assistants are included or unless they had been selected as Typists or Steno-typists on the results of the competitive examination held before 1942 * or unless they had been selected as Typists or Steno-typists on the results of the competitive examination for Group IV services held in the year 1977 or thereafter.(* Added P.91/86)

No Typist or Steno-typist shall be eligible for such promotion or transfer before he has satisfactorily completed the period of his probation.

No Typist or Steno-typist who has not attained 45 years of age on 10.07.1973 shall be eligible for promotion or transfer, unless he/she has qualified himself/herself in Tamil Typewriting and Tamil Shorthand as the case may be atleast by the Lower Grade and served as Typist/Steno-typist for a period

of one year from the date of acquiring such qualification.

Provided that any person appointed to the post of Typist or Steno-typist by recruitment by transfer need not pass the full test conducted by the Tamil Nadu Public Service Commission for promotion as Assistant or for transfer as Junior Assistant, as the case may be. (Added SROB 58/98)

EXPLANATION- I :-

In respect of persons, who are qualified in Tamil Typewriting and Tamil Shorthand before 10.7.1973, the one year period of service as Typist or Steno-typist as the case may be shall be reckoned from the date on which they become so qualified; and

EXPLANATION- II :-

The service as Typist or Steno-typist for a period of one year from the date of qualifying himself/herself in Tamil Typewriting and Tamil Shorthand as the case may be atleast by the Lower Grade shall apply to all Typists and Steno-typists of the Service who have not commenced probation as Clerks.

EXPLANATION-III :-

Nothing contained in the first paragraph of this rule shall be construed as precluding the promotion as Assistants or transfer as Junior Assistants or a Typist or Steno-typist who was selected by a competent authority before the system of selection through the Tamil Nadu Public Service Commission took effect.

21A COPYISTS (Omitted SROB 69/98)

22. TEST OR EXAMINATION TO BE PASSED BEFORE APPOINTMENT:-

No person shall be eligible for appointment to the class and category and by the method specified in columns(1) and (2) of the table below unless he has passed the test or examination specified in the corresponding entry in column (3) thereof.

NOTE :-

(1) the name of the test alone is shown.

(2) Graduates in Law who have passed the examination in the Law of Practice and Procedure (both Civil and Criminal) held by the Bar Council, Madras, are not required to pass the Civil and Criminal Judicial Tests, Part I, II and III for members of the Judicial Department.

TABLE

Class and Category	Method of Recruitment	Test or Examination
Class I:- 1. Sarishtadar of the City Civil Court, Madras.	Promotion	(i) Civil and Criminal Judicial Tests, Parts I, II & III for the members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part I.
Sarishtadar of the Chief Metropolitan Magistrate's Court.	Promotion	(i) Civil and Criminal Judicial Tests, Parts I, II & III for the members of the Judicial Department.

		(ii) Account Test for Subordinate Officers, Part I.
2. Deputy Registrar, Court of Small Causes, Madras.	-do-	-do-
3. Chief Clerks of the Metropolitan Magistrates Court at George Town & Saidapet.	-do-	-do-
.Head Clerk, City Civil Court, Madras.	-do-	-do-
Superintendent of the Office of the Administrator-General and Official Trustee, Madras.	-do-	-do-
Manager of the Office of the Advocate-General, Madras.	Promotion	(i) Civil and Criminal Judicial Tests, Parts I, II & III for the members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part I.
Central Nazir, Presidency Court of Small Causes, Madras.	-do-	-do-
Manager of the Office of the Government Pleader, Madras.	-do-	-do-
Manager of the Office of the Public Prosecutor, Madras.	-do-	-do-
Head Clerks in the Office of the Administrator-General and Official Trustee, Madras.	-do-	-do-
* Superintendent, Labour Court, Madras and Head Ministerial Officer, Industrial Tribunal, Madras. (Added SROB 81/98)	-do-	-do-
	Promotion	(i) Civil and Criminal Judicial Tests, Parts I, II & III for the members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part I.
4. Interpreter in the Presidency Court of Small Causes, Madras.	Promotion or recruitment by transfer from another service or direct recruitment.	(i) Translation test in Tamil or Telugu (ii) Civil and Criminal Judicial Tests, Parts I, II & III for members of the Judicial Department. (iii) Account Test for Subordinate

		Officers, Part – I
Interpreters, Metropolitan Magistrates' Courts, Madras.	-do-	(i) Civil and Criminal Judicial Tests, Parts I, II & III for members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part – I. Translation Test in any one of the languages, namely, Tamil, Telugu, Urdu or Hindi as the appointing authority may specify. Provided that for Urdu Interpreter, Urdu or Hindi shall be specified as one of the languages
Translators of the City Civil Court, Madras.	Promotion or recruitment by transfer from any other service or direct recruitment.	(i) Civil and Criminal Judicial Tests, Parts I, II & III for members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part – I. (iii) Translation Test in Tamil or Telugu. Provided that one of the Translators shall be a member qualified either in Hindi or Urdu, Translation Test as the appointing authority may specify.
Deputy Nazir of the Presidency Court of Small Causes, Madras.	Promotion	(i) Civil and Criminal Judicial Tests, Parts I, II & III for members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part – I. -do-
Chief Judge's Clerk of the Presidency Court of Small Causes, Madras.	-do-	-do-
Head Accountant in the Presidency Court of Small Causes, Madras.	-do-	
Copyist Superintendent in the Court of Small Causes, Madras		-do-

	-do-	
5. Accountants in the City Civil Court, Madras.	Promotion	(i) Civil and Criminal Judicial Tests, Parts I, II & III for members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part – I.
Treasurer of the Presidency Court of Small Causes, Madras.		-do-
Accountants in the Metropolitan Magistrates' Courts, Madras	-do-	-do-
Accountants and Cashiers in the Office of the Administrator General and Official Trustee, Madras.		-do-
Assistants in the City Offices and Courts except the Assistant in the Office of the Editor, Indian Law Reports.	-do-	
Court and Deposit Keeper of the Presidency Court of Small Causes, Madras.	-do-	(i) Civil and Criminal Judicial Tests, Parts I, II & III for members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part – I.
Assistant in the Office of the Editor, Indian Law Reports, Madras.		-do-
	Promotion	(i) Proof Examiners' Test. (ii) Government Technical Examination of Typewriting by the Lower Grade.

	-do- -do-	
6. Junior Assistant in the Office of the Editor, Indian Law Reports, Madras. Typists	-do-	-do-
	Promotion or direct recruitment or recruitment by transfer.	Must have passed the Government Technical Examination in Typewriting. (i) by the Higher Grade in Tamil and English; or (ii) by Higher Grade in Tamil and Lower Grade in English; or (iii) by Higher Grade in English and Lower Grade in Tamil. Provided that candidates with the qualifications referred to in item (ii0 above, shall be appointed only, if candidates with the qualifications referred to in item (i) above , are not available. Provided further that the qualifications referred to in item (iii) above, shall be appointed only if the candidates with the qualifications referred to in items (i) and (ii) above, are not available.
Steno-typist	Promotion or direct recruitment or recruitment by transfer.	Must have passed the Government Technical Examination in Typewriting and shorthand. (i) by the higher Grade in Tamil and English; or (ii) by the higher Grade in Tamil and Lower Grade in English; or (iii) by the Higher Grade in English and Lower Grade in Tamil.

		Provided that candidates with the qualifications referred to in item (ii) above, shall be appointed only, if candidates with the qualifications referred to in item (i) above, are not available. Provided further that candidates with the qualifications referred to in item (ii) above, shall be appointed only if the candidates with the qualifications referred to in item (i) and (ii) above are not available.
* **Class I-A:**		

* Omitted SROB 81/98

Class III: Copyists	Direct recruitment or recruitment by transfer.	** Government Technical Examination in Typewriting. (i) by the Higher Grade in Tamil and English; or (ii) by the Higher Grade in Tamil and Lower Grade in English; or (iii) by the Higher Grade in English and Lower Grade in Tamil; Provided that candidates with the qualification referred to in item (ii) above, shall be appointed only, if candidates with the qualifications referred to in item (i) above, are not available. Provided also that the candidates with the qualification referred to in item (iii) above, shall be appointed only, if the candidates with the qualifications referred to in items (i) and (ii) above, are not available.** Substituted ROC 4222-A/85/C1

CLASS IV :- Category:- 1. Sarishtadars of District Court and Chief Judicial Magistrate's	Promotion	(i) Civil and Criminal Judicial Tests, Parts I, II and III for members of the Judicial Department. (ii) Account Test for Subordinate

Court.		Officers, Part I.
		-do-
2. Sarishtadars of Subordinate Judge's Courts and Head Clerks of District Courts.	-do-	
Central Nazirs.		-do-
	-do-	
3. Head Clerks of the Chief Judicial Magistrates' Courts.	Promotion	(i) Civil and Criminal Judicial Tests, Parts I, II and III for members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part I.
Head Clerks of the Subordinate Judges' Courts.		-do-
* Superintendents of Labour Courts, Madurai and Coimbatore. *Inserted SROB-81/98		-do-
Head Clerks of the Sub Divisional Judicial Magistrates' Courts.	-do-	
Head Clerks of the District Munsif Courts.		-do-
	-do-	
Record Keepers of the District Courts.		
Senior Superintendent of Copyists.		-do-
Deputy Nazirs.		
Translators	-do-	
		-do-
		(i) Civil and Criminal Judicial Tests, Parts I, II and III for members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part I.
	Promotion	(iii) Translation test in the language or one of the languages of the District

		specified by the appointing authority.
4. Record Keeper Subordinate Judge's Court, Ootacamund.		(i) Civil and Criminal Judicial Tests, Parts I, II and III for members of the Judicial Department.
	-do-	(ii) Account Test for Subordinate Officers, Part I.
		-do-
First Clerk, District Court, Coimbatore.	-do-	
		-do-
One Bench Clerk in each of the District Courts and Subordinate Judges' Courts.		
Assistants		-do-
	-do-	
	Promotion	
	-do-	

	-do-	
5. Typists	Promotion or direct recruitment or recruitment by transfer.	Must have passed the Government Technical Examination in Typewriting. (i) by the Higher Grade in Tamil and English; or (ii) by the Higher Grade in Tamil and Lower Grade in English; or (iii) by the Higher Grade in English and Lower Grade in Tamil. Provided that candidates with the qualifications referred to in item (ii) above, shall be appointed only if candidates with the qualifications referred to in item (i) above are not available; Provided further that the candidates with the qualifications referred to in item (iii) above, shall be appointed only if the candidates with the qualifications referred to in item (i) and (ii) above are not available.
Steno-typists	Promotion or direct recruitment or recruitment by transfer.	Must have passed the Government Technical Examination in Typewriting and Shorthand,- (i) by the Higher Grade in Tamil and English; or (ii) by the Higher Grade in Tamil and Lower Grade in English; or (iii) by the Higher Grade in English and Lower Grade in Tamil. Provided that candidates with the qualifications referred to in item (ii) above, shall be appointed only if candidates with the qualification referred to in item (i) above, are not available. Provided further that the candidates with the qualifications referred to in

		item (iii) above, shall be appointed only if the candidates with the qualifications referred to in item (i) and (ii) above, are not available.

Class V:- Copyists	Direct recruitment or recruitment by transfer	* Government Technical Examination in Typewriting. (i) by the Higher Grade in Tamil and English ; or (ii) by the Higher Grade in Tamil and Lower Grade in English; or (iii) by the Higher Grade in English and Lower Grade in Tamil. Provided that candidates with the qualifications referred to in item (ii) above, shall be appointed only if candidates with the qualifications referred to in item (i) above, are not available. Provided also that the candidates with the qualifications referred to in item (iii) above, shall be appointed only if the candidates with the qualifications referred to in item (i) and (ii) above, are not available. * Substituted ROC 4222A/85/C1

Provided that;-

(1) those members who were fully qualified under the old rules shall be deemed to be qualified under the amended rules, whether, or not they were probationers in the next higher category on the 1st May, 1960, for the purpose of promotion to that category;

(2) the members so promoted shall also be eligible for further promotion to the next higher category temporarily if they are otherwise qualified and suitable for such promotion; but if they do not pass the required part or parts of the test under the amended rules at one of the first three examinations held after such promotion shall be reverted to the category, grade or post from which they were promoted, and shall not again be eligible for promotion under this clause;

(3) Members , who are so reverted shall not, by reason only of their promotion under clause (2) be regarded as probationers in, or be entitled to any preferential claim to future promotion to the category to which they were so promoted;

(4) the amended rules shall not be deemed to have affected the rights of members who were probationers on the 1st May, 1960, in a particular category, grade or post for which the Civil and Criminal Judicial Tests for members of the Judicial Department are prescribed under the amended rules;

(5) the members who have not commenced probation on or before the 1st May, 1960, in the category or post for which a pass in the Civil and Criminal Judicial Tests for members of the Judicial Department is prescribed under the amended rules, and who have passed one or other of the parts of the

Civil Judicial Test or the Criminal Judicial Test prescribed under the old rules shall be required to pass only the part or parts of the Civil and Criminal Judicial Tests for members of the Judicial Department containing the subjects in which they are not already qualified.

EXPLANATION:-

In this proviso, "Old Rules" means these rules as they stood before the 1st May, 1960 and "amended rules" means these rules as amended by Home Department Notification S.R.O. No.A. 539 of 1960, dated the 18th October 1960 published at pages 485-489 of the part-V of the Tamil Nadu Government Gazette, dated the 16th November 1960 (G.O.Ms.No.590, Home dated 29.2.72).

***23. LINGUISTIC QUALIFICATION**:-

(a) No person shall be eligible for appointment to the service by direct recruitment unless he has an adequate knowledge of the Official Language of the State, namely, Tamil:

Provided that a person, being otherwise qualified for appointment to the post to which recruitment is to be made, may apply for recruitment to the post, despite the fact that, at the time of such application, he does not possess an adequate knowledge of Tamil.

* substituted P DIS 54/95

EXPLANATION:-

For the purpose of this rule, a person shall be deemed to have an adequate knowledge of Tamil, if he has passed the S.S.L.C. Public Examination or its equivalent examination with Tamil as one the languages; or studied the High School course in Tamil medium and passed the S.S.L.C. Public Examination in Tamil medium; or passed the Second Class Language Test in Tamil conducted by the Tamil Nadu Public Service Commission.

(b) Every such candidate as is referred to in the proviso to sub rule (a), shall, if selected for appointment, pass the Second Class language Test in Tamil conducted by the Tamil Nadu Public Service Commission within the period of his probation and notwithstanding anything contained in rule -31; the period of his probation may be extended to four years from the date of appointment in order to enable him to pass the Second Class Language Test in Tamil. Such person shall, notwithstanding anything contained in the Fundamental Rules, be granted increments if, but for his failure to pass the said language test, he would have been declared to have satisfactorily completed his probation. If he fails to pass the said Language Test within the period of four years, he shall be discharged from service.

(c) The syllabus for the second class Language Test, in Tamil referred to in this rule shall be as specified in Schedule -I-A to the General Rules for the Tamil Nadu State and Subordinate Services;

24. OMITTED ROC.NO.8584/92/C1

25.SHORTHAND AND TYPEWRITING:-
PREFERENTIAL QUALIFICATIONS :-

For appointment to the post specified below, preference, shall be given to candidates who in addition to possessing the qualifications prescribed for these posts, have passed the Government Technical Examinations in Shorthand and Typewriting.

CLASS – I

CATEGORY :-

6. Junior Assistant, including the following:-
Ledger -keepers.
Court Clerk of the office of the Administrator – General and Official Trustee.
Typists.

CLASS - IV

CATEGORY :-

5. Junior Assistants
Assistant Nazirs.
Junior Superintendents of Copyists.
Typists.

26. SECURITY :-

(a) Where the State Government have, by general or special order, directed that the holder of any specified post or category of post shall deposit security for the due and faithful performance of his duties, appointment to such post or posts shall be made from special list of candidates drawn up by the Commission or the appointing authority, as the case may be, separately for the City of Madras and each district and separately for each of the classes and categories in which the posts are included. These lists shall be supplemental to and different from the ordinary list of approved candidates and shall contain the names of candidates who are not only eligible for inclusion in the ordinary list but are also able and willing to deposit security of such amount as may be specified in such general or special order. The names shall be arranged in the lists in order of preference.

(b) such of these rules as otherwise regulate recruitment to the post referred to in sub-rule (a) shall mutatis mutandis apply to allotment of candidates from the lists referred to in sub – rule (a).

(c) Failure to accept an offer of appointment under sub-rules (a) and (b) shall render a candidate's name liable to removal from the list.

(d) If when a vacancy in any of the posts referred to in sub rule (a) ceases, there is no vacancy in any other such post to which the candidate discharged from the former post can be transferred, he shall, until such vacancy arises, be employed in an officiating or temporary capacity in the department in a post which is not of the description referred to in sub-rule (a) in preference to a junior, if any, who shall be discharged.

(e) Where appointment to a post of description referred to in sub-rule (a) or to any other post in the service has to be made by the promotion of a member of the service, such promotion shall be made subject to the condition that the member promoted is able and willing to deposit the security required in respect of the post to which the appointment is made.

(f) If within a month from the date of his appointment under sub-rules (a) and (b) or of his promotion under sub-rule (e) the person concerned fails to deposit the security required, his

probation shall be deemed to have been terminated and the appointing authority shall forthwith, by order, discharge him from the service or revert him to the post from which he was promoted, as the case may be, unless he has already been otherwise discharged or reverted:

Provided that the termination of probation under this sub-rule shall not disentitle a person to promotion to any post in the service, which is not of the description referred to in sub-rule (a) and for which he would have been eligible otherwise than by reason of his promotion under sub-rule (e).

27. <u>PROBATION</u> :-

(a) Every person appointed to any class or category otherwise than by promotion shall be on probation for a total period of two years on duty within a continuous period of three years.

Provided that a member of the Service appointed to the post of Junior Assistant shall be allowed to count the period of Foundational Training undergone by him, towards the prescribed period of probation.

(b) Approved candidates who join their posts when directed to do so by the competent authority shall commence their probation in relation to those posts in the order in which their names are arranged in the list of approved candidates and in the order in which appointments should be made under the rules of reservation of appointments where it applies and not with reference to the dates on which they first being to perform the duties of their respective posts.

(c) Deleted.

(d) a probationer in any class or category of the service, who, in accordance with rule 6,7 or 42 is appointed to any other class or category carrying a higher scale of pay, shall be entitled to count towards his probation in the former class or category any period of duty in the latter class or category if during such period he would have held a post in the former class or category but for such appointment.

(e) Deleted.

(f) A probationer in category 1 of Class I or Class IV appointed as Deputy Administrator General and Deputy Official Trustee shall be entitled to count towards his probation in the former class or category any period of duty in the post of Deputy Administrator – General and Deputy Official Trustee, if during such period he would have held a post in the former class or category but for such appointment.

(g) Military duty to count for probation - The period of military duty of a probationer shall count towards his probation in the post held by him prior to his joining military duty; it shall also count towards his probation in the post to which he may be appointed under rule 50.

*(h) Probationer in a category or class of a service, who is or has been deputed to foreign service, shall be entitled to count towards his probation in that particular category or class of the former service, the period of duty performed by him under foreign service, during which he would have held the post in the former service;

Provided that the scale of pay applicable to the post in foreign service is either equal to or higher than that applicable to the post in the parent department and that the duties and responsibilities of the posts are comparable.

*(i) where a Steno-typist appointed by direct recruitment fails to pass the Tamil Shorthand by Lower Grade within the period of probation or extended period of probation and if he desires he can be appointed to the post of Typist and his probation declared in the post of Typist counting the service rendered in the post of Steno-Typist if he has passed Tamil Typewriting by the Lower Grade within the period of probation or extended period of probation. There will be no objection to reappoint such a person to the post of Steno-typist after he passes Tamil Shorthand by Lower Grade.

*Added (GO.Ms.No.1412, Home (Cts.VII) Dt.11.6.85).

27A. **COMPLETION OF PROBATION AND DRAWL OF ARREARS OF INCREMENT;-

Where a probationer is to acquire the special qualifications or to pass the special tests during the period of probation, the first increment, in case the period of probation is one year and the second increment, in case the period of probation is two years, shall be sanctioned to him only after declaration of satisfactory completion of probation after he acquired such
qualifications or passed such tests and arrears of increments shall be allowed from the date of completion of probation. In cases where the passing of tests for declaration of satisfactory completion of probation is not necessary, the probationer shall be eligible for sanction of increment irrespective of declaration of satisfactory completion of probation. The appointing authority shall include a provision to the above effect while issuing orders in all such cases. ** Substituted vide G.O.Ms.No.797, Home (Cts. VII) dated 25.03.87

28. Omitted P.Dis. 80/91
28A. Omitted P.Dis. 80/91
29. Omitted P.Dis. 80/91
29A. Omitted P.Dis. 80/91

29-B ABSORPTION OF STAFF ON THE MERGER OF TERRITORIES OF ANDHRA PRADESH (TIRUTTANI TALUK) WITH THE STATE OF TAMIL NADU:-

Notwithstanding anything contained in rule 35(a), a person who was holding a permanent post in the merged territory of Andhra Pradesh (Tiruttani Taluk) as on 01.04.1960 shall, on absorption in a post in this service, be appointed in such post as a full member. Every temporary employee in the said merged territory shall, on absorption on 01.04.1960 in a post in this service, be treated as probationer from the date of the commencement of his probation in such post (G.O.Ms.No.3331, Home dated 4th December 1970).

30. (a) TERMINATION OR EXTENSION OF PROBATION :-

At any time before the expiry of the period of probation referred to in Rule 27 or where such period of probation has been extended under Rule 31, the appointing authority may, at any time before the expiry of the prescribed period of probation or the extended period of probation, as the case may be.

(i) discharge a probationer from the service for want of a vacancy; and

(ii) at its discretion, by order either terminate the probation of a probationer and discharge him or in case the probation has not been extended under Rule 31, extend the period of his probation after giving him a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

Provided that where a probationer has been given a reasonable opportunity of showing cause against the imposition on him of any of the penalties specified in clauses (iv), (vi), (vii), and (viii) of Rule 8 of the Tamil Nadu Civil Services (Classification, Control and Appeal) Rules (G.O.Ms.No.590, H, 29/2/72) and at the conclusion of the disciplinary proceedings, a tentative conclusion is arrived at to terminate his probation, a further opportunity of showing cause specifically against termination of his probation need not be given to him.

EXPLANATION :-

An opportunity to show cause may be given after the appointing authority arrives at a provisional conclusion on the suitability or otherwise of the probationer for full membership of the service.

NOTE:-

Where it is proposed to discharge a probationer from service for general unsatisfactory work or incapacity without the need for enquiry into specific charges against him, he shall be discharged after being given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him. In cases where it is proposed to discharge the probationer from the service for specific charges in addition to, or distinct from general inefficiency or incapacity, a specific charge shall be framed and the detailed procedure laid down in the Tamil Nadu Civil Services (Classification Control and Appeal) Rules shall be followed.

30. (b) PENALTY FOR FAILURE OF PROBATIONERS TO PASS TESTS:-

(i) If, within his period of probation, a probationer fails to pass the special tests prescribed for him in sub-rule (a) of Rule 37, the appointing authority shall, by order, discharge him unless it extends the period of probation under Rule 31.

(ii) If such probationer has appeared within the period of probation for any such tests, and the results of the test for which he has so appeared are not known before the expiry of such period, he shall continue to be on probation until the publication of the result of the tests for which he has appeared or the first of them in which he fails to pass, as the case may be. In case the probationer fails to pass any of the tests for which he has so appeared, the appointing authority shall forthwith, by order, discharge him unless the period of probation is extended under Rule 31.

(iii) Where a probationer has, before the commencement of his probation has already passed any of the special tests prescribed, he shall not be required to pass such special tests again.

30. (c) (i) APPROVED PROBATIONER :-

If, at the end of the period of probation or of the period of probation as extended under Rule 31, the appointing authority considers the probationer to be suitable for full membership, it shall issue an order declaring the probationer to have satisfactorily completed his period of probation. On the issue of such order, the probationer shall be deemed to have satisfactorily completed his probation on the date of the expiry of the prescribed or extended period of probation.

If no such order is issued within six months from the date on which he is eligible for such declaration, the probationer shall be deemed to have satisfactorily completed his probation on the date of the expiry of the prescribed or extended period of probation. A formal order declaring the completion of

probation shall, however, be issued by the competent authority. In all cases in which serious charges are pending and, therefore probation cannot be declared, the final orders on probation shall be passed as early as possible and in any case within one month after the disposal of the charges or six months after the due date of completion of probation whichever is later.

***EXPLANATION :-**

For the purpose of calculating the period of probation of a probationer complete calendar months irrespective of the number of days in each month shall first be calculated and then the odd number of days calculated subsequently. Periods of leave, if any, taken during the period of probation shall be excluded while calculating the period of probation.

*** Added (G.O.Ms.No.96, Home (Courts V) dt. 24th January 1994) SROB 28/94**

(ii) TERMINATION OF PROBATION :-

If the appointing authority does not then consider the probationer to be suitable for such membership, it shall, unless the period of probation is extended under Rule 31, by order, discharge him from the service after giving him a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

Provided that, where a probationer has been given a reasonable opportunity of showing cause against the imposition on him of any of the penalties specified in clauses (iv), (vi), (vii) and (viii) of Rule 8 of the Tamil Nadu Civil Services (Classification, Control and Appeal) Rules and at the conclusion of the disciplinary proceedings, a tentative conclusion is arrived at to discharge him from the service, a further opportunity of showing cause specifically against such discharge need not be given to him.

EXPLANATION :-

The decision of the appointing authority that the probationer is not suitable for full membership may be based also on his work and conduct till the date of the decision, inclusive of the period subsequent to the prescribed or extended period of probation.

NOTE :-

Where it is proposed to terminate the probation of a member of the service for general unsatisfactory work or incapacity, without the need for enquiry into specific charges against him, the termination shall be done after giving a reasonable opportunity of showing cause against the action proposed to be taken in regard to him. In case where it is proposed to terminate the probation of a member of the service for specific, charges in addition to, or distinct from, general inefficiency or incapacity, specific charges shall be framed and the detailed procedure laid down in the Tamil Nadu Civil Services (Classification, Control and Appeal) Rules, shall be followed.

30.A. Notwithstanding anything contained in Rule 30 of these Rules except in cases where serious charges are pending, all officers appointed by direct recruitment or by promotion or by transfer before the 1st January, 1957, and whose probation has not yet been declared, shall, under this rule and without further examination of their individual cases, be declared to have completed their probation, from the date on which they were eligible for such a declaration. Among those appointed on or after 1st January, 1957, officers appointed on promotion or transfer, shall also be declared to have completed their probation satisfactorily, if on the 8th January, 1962, they were eligible for such declaration and if no

serious charges were pending against them. The cases of direct recruits appointed after 1st January, 1957, shall be examined individually and orders passed by the competent authority within six months from the 8th January, 1962, and if no orders are passed within this period of six months, they shall be deemed to have satisfactorily completed their probation on the date of the expiry of the prescribed or extended period of probation.

In the case of all officers appointed by direct recruitment or by promotion or by transfer, whose due date of completion is on or after the 1st January, 1962, but before the 8th January, 1962, the order on their probation shall issue within six months from the date on which they are eligible for such declaration; and if no order is passed by the competent authority within this period, the officers shall be deemed to have completed their probation;

Provided that in all the cases of completion of probation under this rule, formal orders declaring the completion of probation shall be issued by the competent authority.

31. <u>EXTENSION OF PROBATION</u> :-

In the case of any probationer falling under the sub-rule (b), or clause (ii) of sub-rule (c) of Rule 30, the appointing authority may extend his probation to enable him to acquire the special qualifications or pass the prescribed tests, or as the case may be, to enable the appointing authority to decide whether the probationer is suitable for full membership or not. Such extended period of probation or the period of probation as extended under clause (ii) of sub rule (a) of Rule 30, shall terminate at the latest when the probationer has, after the date of expiry of the period of probation prescribed for the class or category in which he is on probation, completed three years of duty in such class or category. In cases where the probation of a probationer is extended, a condition shall, unless there are special reasons, to the contrary, be attached to the order of extension of probation that the probationer's increment shall be stopped until he is declared to have satisfactorily completed his probation. Such stoppage of increment shall not be treated as a penalty but only as a condition of extension of probation and shall not have the effect of postponing future increments after he has passed the prescribed tests or examinations or after he is declared to have satisfactorily completed his probation.

32. <u>PROBATIONERS DESIRING COURSES OF STUDY NOT CONNECTED WITH PROBATION</u> :-

(a) A probationer who desires to undergo any course of study which though not essentially connected with his probation is likely to enhance his usefulness as a member of the service, may on his application, be permitted by the appointing authority to undergo the desired course of study. He may also be granted the entire amount of leave if any, admissible under the rules applicable to him, if but for such leave he would have continued to be on duty.

(b) Notwithstanding anything contained in rule 36, such probationer shall, on the completion of the course of study, be entitled to re-appointment according to the rank and seniority held by him in his class or category before undergoing the said course of study. He shall also be entitled to count his continuous service immediately before his undergoing the said course of study for increment in the time scale of pay applicable to him, if but for his absence from the service (whether on leave or otherwise) for undergoing the said course of study, he would have continued to be on duty.

(bb) Approved candidates who join duty and who apply for leave to complete their study soon after they join duty but prior to the regularization of their services may be permitted to undergo any course of study only if they are in the midst of a course of a study at the time of joining duty and not if they wish to take up any fresh course of study after joining duty in the service.

(c) This rule shall not have the effect of excluding the period of absence in computing the continuous period within which the period of probation has to be served under Rule 27.

33.(a) APPEAL AGAINST TERMINATION OF PROBATION :-

A probationer who is discharged under clause (ii) of sub-rule (a) or under sub-rule (c) of Rule 30 shall be entitled to appeal to the High Court within the period of limitation within which an appeal would lie against an order of dismissal passed against a full member of the class or category, as the case may be, to which the probationer belongs.

(b) REVISION OF ORDER OF TERMINATION OF PROBATION :-

The High Court may, either of its own motion or otherwise revise any order discharging a probationer under any of the provisions referred to in sub – rule (a) within one year of the date of such order.

(c) CONDITION OF SERVICE ON RESTORATION OF DISCHARGED PROBATIONER :-

(i) When an order discharging a probationer is set-aside on appeal under sub-rule (a) or on revision under sub-rule (b) and the probationer is restored to the service, the period on and from the date of discharge to the date of such restoration may, with the previous sanction of the State Government, be treated as duty except for purposes of probation. The period of probation undergone by such probationer at the time of his discharge shall, however, count towards the period of probation prescribed by the rules applicable to him.

(ii) Such probationer may, during the period on and from the date of his discharge to the date of his restoration, be paid such pay and allowances not exceeding the pay and allowances to which he would have been entitled if he had not been discharged, as the High Court may, with the previous sanction of the State Government, determine.

34(a). DISCHARGE OF PROBATIONERS AND APPROVED PROBATIONERS FOR WANT OF VACANCIES:-

Probationers and approved probationers shall be discharged for want of vacancies in the following order:-

(i) First, the probationers in order of juniority; and
(ii) Second, the approved probationers in the order of Juniority.

The order of discharge may be departed from in the cases where such order would involve excessive expenditure on traveling allowance or exceptional administrative inconvenience.

EXPLANATION :-

A member of the service who is transferred at his own request from one unit to another shall, for the purpose of this sub-rule, be treated as junior to all probationers appointed in the new unit prior to his joining that unit, notwithstanding the fact that he is already an approved probationer or will complete probation earlier than the other probationers in that unit.

34(b) RE-APPOINTMENT OF PROBATIONERS AND APPROVED PROBATIONERS:-

Approved probationers and probationers who have been discharged for want of vacancies shall be reappointed as vacancies arise, in the inverse of the order laid down in clause (i) or (ii) of sub rule (a):

Provided that the said order may be departed from in cases where such order would involve excessive expenditure on travelling allowances or exceptional administrative inconvenience.

35. APPOINTMENT OF FULL MEMBERS :-

(a) Subject to the provisions of Rule 50, an approved probationer shall be appointed to be a full member in the category for which he was selected at the earliest possible opportunity in any substantive vacancy which may exist or arise in the permanent cadre of such category and if such vacancy existed from a date previous to the issue of the order of appointment, he may be so appointed with retrospective effect from such date or, as the case may be, from such subsequent date from which he was continuously on duty as member of the service in such category or in a higher category:

Provided that, where more than one approved probationer is available for such appointment as full member, the senior most approved probationer on the date of the vacancy shall be appointed;

Provided further that where by reasons of administrative convenience a member of the service completes his probation earlier than another member of the service who is senior to him, the member who so completes his probation earlier shall not be confirmed before the member w ho is senior to him. The senior member shall be confirmed according to his seniority in the service after he completes satisfactorily the period of his probation.

Provided also that approved probationers in the categories of :-

(i) Typists who are qualified in Typewriting by the Lower Grade;

(ii) Copyists of the Revenue Department, who are below 45 years of age, on the 8th October, 1954, absorbed in the Courts of the Judicial Magistrates consequent on the introduction of the scheme of separation of Judiciary from Executive, shall not be entitled to appointment as full members unless and until they acquire the qualifications prescribed in Rule 22 of the Rules.

EXPLANATION :-

(1) For the purpose of this sub-rule, an approved probationer who has been on leave during the period of his probation or after such period shall be deemed to be on duty as a member of the service in the category concerned, if he would have been on duty in such category or in a higher category but for his absence on leave.

(2) A member of the service who is transferred at his own request from one unit to another shall not, by reason of his having completed his probation earlier than the other probationers in the new unit, be confirmed before them.

(b) No person shall, at the same time, be a full member of this and another service, State or Subordinate.

A full member of this service who is appointed to be a full member of another service shall cease to be a member of this service.

36. SENIORITY :-

(a) The seniority of a person in a class, category or grade of the service shall unless he has been reduced to a lower rank as a punishment, be determined by the rank obtained by him in the list of approved candidates drawn up by the Tamil Nadu Public Service Commission or other appointing authority, as the case may be, subject to the rule of reservation where it applies. The date of commencement of his probation shall be the date on which he joins duty irrespective of his seniority.

(b) The transfer of a person from one class or category of a service to another class or category carrying the same pay or scale of pay shall not be treated as first appointment to the latter for purpose of seniority; and the seniority of a person so transferred shall be determined with reference to the rank in the class or category from which he was transferred. Where any difficulty or doubt arises in applying this sub-rule, seniority shall be determined by the appointing authority.

*(bb) (i) The seniority of the present incumbents in the posts of Superintendents, Labour Courts, Madras and Head Ministerial Officer, Industrial Tribunal, Madras shall be fixed with reference to his seniority in Category 4 of Class I in the consolidated seniority lists maintained by the High Court, Madras and the seniority of the present incumbents in the posts of Superintendents, Labour Courts, Madurai and Coimbatore shall be fixed with reference to his seniority in Category 3 of class IV in the consolidated seniority lists maintained by the District Judge concerned and his name be considered for his further promotion after his seniors in the consolidated seniority list are regularly promoted to the next higher category.

(ii) The seniority of the present incumbents in the post of Junior Assistant, Typist and Steno-typist, Industrial Tribunal and Labour Court, Madras shall be fixed along with the persons working in the similar posts in the City Unit with reference to the dates of their appointment and the seniority of the present incumbents in the posts of Junior Assistant, Typist, and Steno-typist in Labour Courts, Madurai and Coimbatore shall be fixed along with the persons working in the similar posts in the respective Civil Unit, with reference to the dates of their appointment *.Inserted SROB 81/98

(c) Where a member of any class, category or grade is reduced to a lower class, category or grade, he shall be placed at the top of the latter unless the authority ordering such reduction directs that he shall take rank in such lower class, category or grade next below any specified member thereof.

"(cc)Application for the revision of seniority of a person in the service, class, category or grade shall be submitted to the appointing authority within a period of three years from the date of appointment to the service, class, category or grade or with in 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". Added G.O.Ms.No.1644 Home (Cts. VII), Dated 27/6/1986 with effect from 28.1.1983.

(d) The seniority of any person in a service or post of the merged territory of Pudukkottai, who is absorbed in a service or post under the Government of Tamil Nadu shall be determined as follows:-

(i) If he is absorbed in a post similar to that which he was formerly holding in the service of the merged territory of Pudukkottai, his seniority shall be determined by the date from which he was holding the former post continuously.

(ii) If he is absorbed in a post of a higher cadre carrying a higher scale of pay than that which he was formerly holding in the service of the merged territory of Pudukkottai, his seniority shall be determined by the date from which he joined the post under the Government of Tamil Nadu.

(iii) If he is absorbed in a post other than those specified in clauses (i) and (ii) which does not improve his cadre and scale of pay in the service of the merged territory of Pudukkottai, his seniority shall be determined on the basis of merit.

(e) Omitted P. Dis. 89/91

(f) the seniority of a person in a service or post of the merged territory of Andhra pradesh (Tiruttani Taluk) who is absorbed in a service or post under the Government of Tamil Nadu shall be determined as follows:-

(i) If he is absorbed on or after 01.04.1960 in a post similar to that which he was formerly holding in the service of the merged territory of Andhra Pradesh (Tiruttani Taluk) his seniority shall be determined by the date from which he was holding the former post continuously.

(ii) If he is absorbed on or after 01.04.1960 in a post of a higher cadre carrying a higher scale of pay than that which he was formerly holding in the service of the said merged territory, his seniority shall be determined by the date on which he joined the post under the Government of Tamil Nadu.

(iii) If he is absorbed in a post other than those specified in Clauses (i) and (ii) which does not improve his cadre and scale of pay in the service of the said merged territory, his seniority shall be determined on the basis of merit". (G.O.Ms.No.3331, Home dated 4th December 1970).

37.<u>TESTS OR EXAMINATIONS</u> :-

(a) Members of the service specified in column (1) of the table below shall pass the test or examination specified in the corresponding entry in column (2) of the said table within the period stated in the corresponding entry in column (3) thereof:-

Category **(1)**	**Tests or examinations to be passed.** **(2)**	**period** **(3)**
1. Superintendent, Office of the Administrator General and Official Trustee, Head Clerk, Accountants, Cashier and Ledger-Keepers, Office of the Administrator – General and Official Trustee.	Department test in- (i) Administrator General's Act, 1913, and the rules issued thereunder. (ii) Official Trustee's Act, 1913 and the rules issued thereunder. (iii) Government Securities Manual.	After one year and within three years from the date of appointment.

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2. A direct recruit or any person recruited by transfer from any other service to any post specified in column (1) of the table in rule 22 other than typist or copyist or Translator or an Interpreter or the holder of any post in category 4 of Class IV.	Test specified in the corresponding entry in column (3) of the table.	Within the period of probation.
3. A direct recruit or any person recruited by transfer from any other service to any post in category 4 of Class IV.	(i) Civil and Criminal Judicial Tests, Parts I, II and III for members of the Judicial Department. (ii) Account Test for Subordinate Officers, Part -.I	Within the period of probation.
4.Typists	(i) Government Technical Examination in Typewriting by the Higher Grade (Tamil or English) (ii) Government Technical Examination in Typewriting by the Lower Grade (Tamil)	Before Appointment as full members. Within the period of probation or within a period of two years from the date of appointment to the post;
4.(a) Junior Assistants appointed by direct recruitment on or after the 3rd June 1974.	Foundational training for a period of two months. Provided that the Junior Assistants, who came out successful in the Special qualifying Test conducted by the Tamil Nadu Public Service Commission in December 1977 * and in 28th June, 1981 shall undergo a Refreshner Course for a period of 28 working days instead of the regular two months Foundational training".	Within the prescribed period of probation.
4.A. Steno-typists	(i) Government Technical Examination in Typewriting and Shorthand by the Higher Grade. (Tamil or English) (ii) Government Technical Examination in Type-writing and Shorthand by the lower Grade. (Tamil)	Before appointment as full members. Within the period of probation or within a period of two years from the date of appointment to the post.

* Inserted ROC No.9753/82-C1. G.O.Ms.No.1657, Home dated 7/7/87 date of effect 25/1/83.

5. Copyists of the Revenue Department below 45 years of age on 8th October 1954, absorbed in the Courts of the	Government Technical Examination in Typewriting by the Lower Grade.	Within the period of six years from the date of absorption. Provided that in the case of

Judicial Magistrates consequent on the introduction of the scheme of separation of the Judiciary from the Executive.		Copyists who do not possess the requisite educational qualification even to appear for the Government Technical Examination in Typewriting by the Lower Grade, the period shall be 8 years from the date of absorption.

(b) If the Superintendent or Ledger Keepers of the Office of the Administrator – General and Official Trustee, fails to pass the departmental test as required in item (i) in sub-rule (a), his increments shall be liable to be stopped until he passes the test but such Stoppage shall not operate to postpone future increments after he has passed the test.

* A person who, on appointment to the post by direct recruitment, has undergone training shall refund to the State Government the entire money spent on him during the period of training, if he does not serve the State Government for a period of not less than five years from the date of completion of the training.

* Added ROC 7151/86-C1

38.SCOPE OF APPLICATION OF RULES:-

For the purposes of first appointment, discharge for want of vacancies, re-appointment, seniority and appointment of full members every post or group of posts in a category for which qualification in a particular subject is prescribed shall be deemed to be a separate category.

Provided that for purposes of appointment as full members, the posts of Typists and steno-typists shall together be deemed to constitute a single category.

*** 39.UNIT OF APPOINTMENT, SENIORITY, DISCHARGE, ETC.**

Subject to the provisions of sub-rule (b) & (c) of Rule 6, for the purpose of recruitment, fixation of seniority, discharge for want of vacancies and reappointment of probationers and approved probationers, appointment of full members, promotions, postings and appointment from one post to another in the same class or category, the jurisdiction of each appointing authority in the City of Chennai in the cases of Classes, I,, II and III shall be a separate unit and the jurisdiction of entire district in the Muffassal including Civil Courts, Criminal Courts and other Courts, namely, Labour Court, Family Court, special Courts for Essential Commodities Act and Narcotic Drugs and Psychotrophic Substances Act, Special Court for Protection of Civil Rights Act and Scheduled Caste and Scheduled Tribes, (Prevention of Atrocities) Act, 1989 and in any other Special Courts or Tribunals formed in the District, shall be a single Unit, in the case of Classes IV and V.

EXPLANATION (1) :-

The Seniority of a member of the service, who is transferred on administrative grounds only, from one unit to another, shall be fixed in the latter Unit with reference to his date of his first appointment in the former Unit.

EXPLANATION (2) :-

A member of the service, who is transferred at his own request from one unit to another shall have his seniority fixed in the latter unit with reference to the date of his first appointment in that unit;

* Substituted in G.O.Ms.No.543, Home (Cts.V) Dept. dated 25.6.2002.

40. TRANSFER:-

(a) Transfer of members of the service from the jurisdiction of one appointing authority to that of another shall be made by the High Court of Judicature at Madras.

(b) No Junior Assistant shall be appointed as Typist or Steno-typist and no typist or Steno-typist shall be appointed as Junior Assistant unless he has satisfactorily completed the prescribed period of probation as Junior Assistant or Typist or Steno-typist, as the case may be.

41. SPECIAL PROVISIONS RELATING TO COPYISTS AND PROCESS ESTABLISHMENT:-

Nothing in these rules shall affect the operation of the copyists and process Establishment Rules in the Civil Rules of Practice and Circular Orders, Volume I.

42.TEMPORARY PROMOTIONS:-

(a) (i) Where it is necessary in the public interest owing to an emergency which has arisen to fill immediately a vacancy in a post borne on the cadre of a higher category in any class of the service by promotion from a lower category and there would be undue delay in making such promotion in accordance with these rules, the appointing authority may temporarily promote a person otherwise than in accordance with these rules.

(ii) No person who does not possess the qualifications prescribed for the post shall ordinarily be promoted under Clause (i). Every person who does not possess such qualification and who has been or is promoted under Clause (i) shall be replaced as soon as possible by promoting a person possessing such qualifications.

(b) Where it is necessary to fill a short vacancy in a post borne on the cadre of a higher category in any class of the service by promotion from a lower category and the appointment of the person who is entitled to such promotion under these rules, would involve excessive expenditure on traveling allowances or exceptional administrative inconvenience, the appointing authority may promote any other person, who possesses the qualifications, if any, prescribed for the higher category.

(c) A person temporarily promoted under clause (i) of sub rule (a) shall, whether or not he possesses the qualifications prescribed for the post to which he is promoted, be replaced as soon as possible by the member of the service who is entitled to promotion under these rules.

(d) Where it is necessary to promote a person against whom an enquiry into allegations of corruption of misconduct is pending, the appointing authority may promote him temporarily pending enquiry into the charges against him. The appointing authority shall have discretion to make regular promotion in suitable cases;

(e) (i) A Person promoted under sub-rule (a), (b) or (d) shall not be regarded as a probationer in the higher category or be entitled by reason only of such promotion to any preferential claim to future promotion to such higher category. The services of such a person in such a higher category shall be liable to be terminated by the appointing authority at any time without notice and without any reason being assigned.

(ii) A person promoted under sub-rule (a), (b) or (d) shall commence his probation, if any, in such category either from the date of his temporary promotion or from such subsequent date

as the appointing authority may determine:

Provided that on the date so determined, the person possesses all the qualifications prescribed for promotion to the service, class or category, as the case may be.

(iii) He shall also be eligible to draw increments in the time scale of pay applicable to him from the date of commencement of his probation. Where commencement of probation is ordered from a date earlier than the date of the order and if this has not been enabled by relaxation of any rule, he shall draw increments, including arrears in the time scale of pay applicable to him from such earlier date. The appointing authority shall include a provision to this effect while issuing orders in all such cases.

(f) There shall be paid to the person promoted under sub rules (a), (b) or (d), the highest of the following rates of pay;

(i) his substantive pay; or

(ii) the minimum of the time scale of pay of the post to which he has been promoted; or

(iii) the officiating pay which he would have drawn from time to time in the post regularly held by him immediately prior to the temporary promotion under sub-rule (a), (b) or (d):

Provided that for the purpose of drawing the pay under clause (iii) a certificate to the effect that but for such temporary promotion, the incumbent would have continued to officiate in the post held by him immediately prior to the temporary promotion shall be issued by the appointing authority for the officiating post. When the incumbent has to be allowed an increment in the time scale of pay applicable to the officiating post, the appointing authority shall again issue a certificate to the effect that but for his temporary promotion the Government servant would have continued to act in the officiating post and drawn the increments, indicating the date and stage of an increment in such officiating posts.

(ff) A person fully qualified under the rules to hold a post borne on the cadre of a service, class or category who has rendered temporary service for a continuous period of three years, whose pay is regulated under clause (ii) of sub rule (f) shall be eligible for the first increment in the scale of pay for the post on completion of a duty period of one year reckoned from the day following the completion of three years of temporary service and subsequent increments on completion of the requisite period for earning such increments, subject to the condition that the rules do not prescribe any special qualification to be acquired as a condition precedent to the drawl of such increments. The increments so drawn shall be adjusted if and when the person is subsequently appointed in accordance with the rules.

EXPLANATION I :-

Continuous temporary service rendered prior to the 26th May 1962 shall also be taken into account for the purpose of this sub-rule:

EXPLANATION II :-

Leave, other than extraordinary leave, taken on or after the 8th June, 1962 shall be treated as service for the purpose of this clause. Leave taken prior to the 8th June, 1962 shall be treated as service

in accordance with the provision of Fundamental Rule 26(bb) as it stood prior to the 8th June 1962.

EXPLANATION III :-

Increments sanctioned under this clause shall not be ordered with effect from a date prior to the 26th May 1962.

43.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 the resignation but all his previous service under the Government of Tamil Nadu or any other Government in India.

The re-appointment of such person to the service shall be treated in same way as a first appointment to the service by direct recruitment and all rules 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:

Provided that nothing contained in this rule shall affect the operation of rules 23 and 25 of the Tamil Nadu Pension Rules.

Provided further that a member of the service, who has resigned his appointment and contested in General Election to parliament or State Legislature or in the Local Elections to local bodies either as a party candidate or as an independent candidate shall not be eligible for re-appointment to the service".

(2nd provisio shall be effected from 27th August, 1984 vide G.O.Ms.No.2662, Home dated 23.9.86).

***43A. ACCEPTANCE OF RESIGNATION :-**

(a) The resignation of a member of a service shall not be accepted, if it has been withdrawn by him before orders accepting the resignation are actually issued.

(b) The resignation of a member of a service shall be accepted either prospectively or retrospectively as decided by the authority competent to accept the resignation."

* Inserted R.O.C.No.9175/84/C1. (G.O.Ms.No.2868, Home dated 13.10.86 with effect from 3.9.84.)

44. MILITARY DUTY TO COUNT FOR PENSION :-

Notwithstanding anything contained in these rules and notwithstanding anything contained in the Pension Rules made or deemed to be made by the State Government a member of service who was deputed for Military duty shall be entitled to count the periods spent on Military duty for purposes of pension if he would have counted for that purpose his service in the Civil Department but for his deputation for Military duty.

EXPLANATION :-

This rule shall, in its application to a member who has been or may be called to or employed in service paid for from Defence Service Estimates, be subject to the conditions specified in the letter of the Government of India, War Department (Army Branch), to the Adjutant General in India, No.11008/A.G.-13 (a) dated the 11th June 1944, recorded in G.O.No.465, Finance, dated the 6th September 1944.

45. REDUCTION OF FULL MEMBER:

If a full member of any category or grade in the service is substantively reduced to a lower category or grade, 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 so long as such member continues therein:

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

46. 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, category or grade in the service, no vacancy caused thereby or arising subsequently in such class, category or grade 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.

47.SAVINGS:-

(a) Unless a contrary intention is expressly indicated therein nothing contained in these rules shall adversely affect any person who was a member of the service on the date of the coming into force of these rules.

(b) Where these rules would adversely affect in respect of any matter a person who was a member of the service before the date of coming into force thereof, he shall, in respect of such matter be governed by the rules and orders, if any, which were applicable to him immediately prior to such date.

(c) If, before the issue of these rules, a person had been exempted under the orders then in force from the possession of any qualification or the passing of any test and the possession of such qualification or the passing of such test is prescribed by these rules, they shall not apply to such person to the extent and in respect of the category, grade or post specifically covered by the order of exemption.

48. RE-EMPLOYMENT OF PENSIONERS :-

Nothing in these rules shall be construed to limit or abridge the powers of the State Government and of subordinate authorities to re-employ persons who have been retired on a civil pension or gratuity, in the service in accordance with the provision contained in * the Tamil Nadu Pension Rules, 1978. The re-employment of such a person in the service shall not be regarded as a first appointment to the service.
* Substituted P.Dis 80/91

49. RELINQUISHMENT OF RIGHTS BY MEMBERS:-

Any person, may in writing, relinquish any right or privilege to which he may be entitled under these rules, if in the opinion of the appointing authority, such relinquishment is not opposed to public interest and nothing contained in these rules shall be deemed to require the recognition of any right or privilege to the extent to which it has been so relinquished.

** (2) Relinquishment of right or privilege for a temporary period shall be accepted if it is made for a period of not less than three years subject to the condition that after the expiry of the said period, the claim of the right or privilege relinquished will be with reference to the state of affairs that exist on the date of expiry of period of relinquishment and without restoration of original seniority if relinquished right or privilege is made permanently and is accepted, subsequent claim of the relinquished rights or privileges shall not be entertained.

**Added SROB 6/98

50. MEMBERS ABSENT FROM DUTY:-

The absence of a member of the service from duty, whether on leave 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 or an approved probationer;

(b) for promotion from a lower to a higher category in the service;

(c) for appointment to any substantive or officiating vacancy in another service for which he may be an approved candidate, 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 confirmation which he would have enjoyed but for his absence subject to his completing satisfactorily the period of probation on his return.

50. A. RIGHT TO BE A PROBATIONER OR AN APPROVAL PROBATIONER IN TWO OR MORE SERVICES :-

Notwithstanding anything contained in rule 50:

(a) no person shall at the same time be a probationer or an approved probationer in more than

(i) two services, in case he is a full member of any other service; and

(ii) three services, in any other case; and

(b) no person, who is a member of three services, shall be appointed to any other service for which he may be an approved candidate, unless he relinquishes his membership of such one of the three services aforesaid as he may choose.

51. APPOINTMENT OF DISCHARGED CLERKS OF THE SETTLEMENT DEPARTMENT :-

(a) Notwithstanding anything contained in these rules any vacancy in the cadre of Junior Assistant in category 5 of Class IV next following every two successive vacancies in the cadre of category 6 as a whole of class IV filled or reserved to be filled by candidates allotted for the purpose, shall be filled or reserved to be filled by the appointment of a member of the Tamil Nadu Ministerial Service discharged therefrom as a result of the stoppage of resettlement operations, who will be allotted by the Collector of the district concerned from a list of such persons maintained by him on application made to him by the District Judge, or as the case may be, by the appointing authority through the District Judge.

(b) Where a person appointed is discharged from the service otherwise than for want of vacancy

the other persons borne on the list referred to in sub-rule (a) shall have a preferential claim for consideration when any subsequent appointment is to be made to the service in the cadre of Junior Assistants in category 5 of Class IV until that claim is satisfied.

(c) A person so appointed shall, within the prescribed period of probation pass the Civil and Criminal Judicial Test Parts I, II and III for members of the Judicial Department and the Account Test for Subordinate Officers, Part- I.

(d) No such person shall be eligible for appointment as a full member of the service unless and until he had acquired the minimum general educational qualification.

(e) The Provisions of the foregoing rules regulating seniority, probation and appointment of full members shall MUTATIS MUTANDIS apply to the appointment of such person.

Provided that his seniority shall be determined by the date of commencement of his service in the Tamil Nadu Ministerial Service, which counted towards his probation in that service.

(f) If no name remains in the Collector's list referred to in sub -rule (a) for appointment under that sub -rule or under sub-rule (b), the vacancy may be filled by the appointment of a candidate allotted under clause (ii) of paragraph (b) in Annexure – II to these rules.

52. Notwithstanding anything contained in these rules, the Governor shall have power to deal with the case of any person or class of persons serving in a civil capacity under the Government of Tamil Nadu or of any person who has or of any class of persons who have served as aforesaid or any candidate or class of candidates for appointment to the service in such manner as may appear to him to be just and suitable.

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.

53. AGE CONCESSION FOR THE PHYSICALLY HANDICAPPED:-

Notwithstanding anything contained in these rule a physically handicapped person shall be eligible for an age concession up to ten years over and above the age limits prescribed provided the applicant is otherwise fully suitable and the handicap is not such as would render him incapable of efficiently discharging the duties relating to the post for which he is to be selected.
(G.O.Ms.No.1250, Home dated 6th May 1971).

ANNEXURE – I
(REFERRED TO IN RULE 10)

CLASS AND CATEGORY (1)	APPOINTING AUTHORITY (2)
CLASS-I 1. Sarishtadar of the City Civil Court, Madras Sarishtadar of the Chief Metropolitan Magistrate's Court.	Judge of the City Civil Court or when the Court consists of more than one Judge, the Principal Judge. Chief Metropolitan Magistrate.
2. Deputy Registrar of the Presidency Court of Small Causes, Madras.	Chief Judge, Court of Small Causes, Madras.
3. Chief Clerks of the Courts of the Metropolitan Magistrates at George Town and Saidapet. Head Clerk, City Civil Court, Madras.	Chief Metropolitan Magistrate. Judge of the City Civil Court or when the Court consists of more than one Judge, the Principal Judge.
Superintendent of the Office of the Administrator – General and Official Trustee, Madras. Manager of the Office of the Advocate-General, Madras. Central Nazir, Presidency Court of Small Causes, Madras. Manager of the Office of the Government Pleader, Madras. Manager of the Office of the Public Prosecutor, Madras. Head Clerks in the Office of the Administrator-General and Official Trustee, Madras. * Superintendent, Labour Court, Madras.* Added SROB 81/98 * Head Ministerial Officer, Industrial Tribunal, Madras.* Added SROB 81/98	Administrator – General and Official Trustee. Advocate-General, Madras. Chief Judge, Court of Small Causes, Madras. The Law Officers concerned. -do- Administrator-General and Official Trustee, Madras. Presiding Officer, Labour Court, Madras. Presiding Officer, Industrial Tribunal, Madras.
4. Interpreters of the Presidency Court of Small Causes, Madras. Interpreters of the Court of the Metropolitan Magistrates, Madras. Translators of the City Civil Court, Madras.	Chief Judge of the Court of Small Causes, Madras. Chief Metropolitan Magistrate, Madras. Judge of the City Civil Court or when the Court consists of more than one Judge, the Principal

	Judge.
Deputy Nazir of the Presidency Court of Small Causes, Madras.	Chief judge, Court of Small Cause, Madras
Chief judge's Clerk of the Presidency Court of Small Causes, Madras.	-do-
Head Accountant in the Presidency Court of Small Causes, Madras.	-do-
Copyist Superintendent in the Presidency Court of Small Causes, Madras.	-do-
5.Accountant in the City Civil Court, Madras	Judge of the City Civil Court or when the Court consists of more than one Judge, the Principal Judge.
Treasurer of the Presidency Court of Small Causes, Madras	Chief Judge, Court of Small Causes, Madras.
Court and Deposit Keeper of The Presidency Court of Small Causes, Madras.	Chief Judge, Court of Small Causes, Madras.
Accountants in the Court of Metropolitan Magistrates.	Chief Metropolitan Magistrate.
Accountants and Cashiers in the Office of the Administrator – General and Official Trustee, Madras.	Administrator – General and Official Trustee, Madras.
Assistants including Record Keeper and Schedule Clerk in the Office of the Administrator General and Official Trustee, Madras.	Administrator-General and Official Trustee, Madras.
Assistants and Bench Clerks in the City Civil Court, Madras	Judge of the City Civil Court or when the Court consists of more than one Judge, the Principal Judge
Assistant in the Office of the Editor, Indian Law Reports, Madras.	Editor, Indian Law Reports, Madras

Assistant in the Office of.... (i) The Court of Small Causes, Madras (ii) The Metropolitan Magistrate Court, (iii) The Labour Court, Madras * (iv) omitted. (v) The Editor, Indian Law Reports, Madras series.	 Chief Judge of the Court of Small Causes, Madras. Chief Metropolitan Magistrate. Presiding Officer. Editor, Indian Law Reports, Madras Series.
6.Junior Assistants, Typists and Steno-Typists in the office-of- i.The Administrator-General and Official Trustee, Madras. ii. The Advocate-General. iii. The Government Pleader. iv. The Public Prosecutor. v. The Editor, Indian Law Reports, Madras Series. vi. The City Civil Court vii. The Court of Small Causes, Madras (viii) Metropolitan Magistrate's Court, Egmore. (ix) Metropolitan Magistrate's Court, George Town.	Administrator-General and official Trustee, Madras. -do- Advocate General, Madras Government Pleader, Madras Public prosecutor, Madras. Editor, Indian Law Reports, Madras Series. Judge of the City Civil Court or when the court consists of more than one Judge, the Principal Judge. Chief Judge of the Court of Small Causes, Madras. Chief Metropolitan Magistrate. Second Metropolitan Magistrate, George Town, subject to the specific approval of the Chief

	Metropolitan Magistrate.
x. Metropolitan Magistrate's Court, Saidapet.	Third Metropolitan Magistrate, Saidapet, Subject to the specific approval of the Chief Metropolitan Magistrate.
xi. Labour Court, Madras.	Presiding Officer.
(xii) Industrial Tribunal, Madras	Industrial Tribunal, Madras. (P.375/67)
7. Examiners and Readers in the Presidency Court of Small Causes, Madras.	Chief Judge, Court of Small Causes, Madras.
Examiners in the Metropolitan Magistrate's Courts, Madras.	Chief Metropolitan Magistrate, Madras
8. (i) Shroff in the Presidency Court of Small Causes.	Chief Judge, Court of Small Causes, Madras.
(ii) Assistant Shroff in the Presidency Court of Small Causes.	-do-

CLASS I.A. (Omitted SROB 81/98)

CLASS II:

Category:- 1. Court and Deposit Keeper of the presidency Court of Small Causes, Madras.	Chief Judge, Court of Small Causes, Madras.
2. Bailiff, Court of Small Causes- cum-Court Keeper, City Civil Court, Madras.	-do-
3.Senior Bailiffs of the Presidency Court of Small Causes, Madras.	-do-
4. Junior Bailiffs of the Presidency Court of Small Causes, Madras.	-do-
5. Process – Writers of the Presidency Court of Small Causes, Madras.	-do-

CLASS III:

Category:- Copyists in the Presidency Court of Small Causes, Madras.	Chief Judge, Court of Small Causes, Madras.
Copyists in the Chief Metropolitan Magistrate's Court, Egmore, Madras.	Chief Metropolitan Magistrate, Madras.

Copyists in the Court of the Metropolitan Magistrate, George Town.	Second Metropolitan Magistrate, George Town, subject to the specific approval of the Chief Metropolitan Magistrate.
Copyists in the Court of Metropolitan Magistrates, Saidapet.	Third Metropolitan Magistrate, Saidapet, subject to the specific approval of the Chief Metropolitan Magistrate.

CLASS IV AND V:-

All Categories of posts under Classes IV and V in Civil Courts, Criminal Courts, Labour Courts, Family Courts, Special Courts for Essential Commodities Act and Narcotic Drugs and Psychotropic Substances Act, Special Courts for Protection of Civil Rights Act and Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and in any other Special Courts or Tribunals formed in each District.	Principal District Judge or where there is no "Principal District Judge, District Judge concerned".

ANNEXURE – II

(REFERRED TO IN RULE 13)
METHOD OF RECRUITMENT

(a) (i) List of approved candidates for appointment to category – 6 of Class I (Junior Assistants, including Ledgers-Keepers and Court Clerk of the office of the Administrator – General and Official Trustee, Typists and Steno-typists) by direct recruitment shall be prepared by the Commission from time to time for the City of Madras as a whole separately for Junior Assistants, Typists and Steno-typists and in accordance with the rule of reservation of appointments (Rule 12). The names of candidates in each of these lists shall be arranged in order of preference. Each such list shall be in force until the issue of a fresh list.

(ii) The lists referred to in clause (i) shall be sent to the Registrar General, High Court, Madras. When a candidate is required for appointment to the service in the said category, the appointing authority shall apply to the said Registrar General stating the particulars with reference to rule 12 and the said Registrar General shall then allot accordingly the senior candidate on the appropriate list in force who is qualified under these rules.

(b) (i) Lists of approved candidate for appointment to category 5 of Class IV (Junior Assistant, Assistant Nazirs, Junior Superintendents of Copyists, Typists and Steno-typists) by direct recruitment shall be prepared by the Commission from time to time for each district separately for Junior Assistants, Typists and Steno-typists and in accordance with the rule of reservation of appointments . * The names of candidates in each of these lists shall be arranged in order of preference. Each such list shall be in force until the issue of a fresh list. * Omitted ROC No.8584/92/C1.

(ii) The lists referred to in clause (i) relating to a particular district shall be sent to the Principal District Judge or where there is no Principal District Judge, the District Judge concerned, or if in any district, there is more than one District Judge, to the Principal District Judge concerned. When a candidate is required for appointment to the service to any post in the said category, the Principal District Judge or where there is no Principal District Judge, the District Judge concerned shall allot the senior candidate on the appropriate list in force who is qualified under these rules.

"(iii) If an approved candidate selected by the Tamil Nadu Public Service Commission for appointment by direct recruitment fails to join duty ordinarily within three months from the date of receipt of the orders directing him to join duty or within an earlier date, if so specified by the appointing authority in special circumstances, he shall forfeit his right for appointment to the post and his name shall be removed from the approved list;

Provided that in * special circumstances the appointing authority may extend the time limit referred to in this ** up to six months for valid reasons".* Omitted SROB 183/95** Substituted SROB 183/95

*** Provided further that in very special circumstances and in relaxation of the above proviso, if any candidate is allowed to join duty beyond the time limit of six months, his seniority in that post shall be fixed below the junior most candidate appointed to that post in that service on the date of joining duty of the former".*** Added SROB 183/95.

(c) Notwithstanding anything contained herein before, the names of such of the candidates included in any of the lists as have not been appointed to the service before the publication of a fresh list shall in the order in which they are arranged in that list, be included in and be placed at the top of the appropriate part of the fresh list, or if no fresh list is prepared, the current list containing only the names of the unallotted candidates in the order in which they are arranged therein shall be published as a fresh list.

(d) for filling up a vacancy by direct recruitment in categories 7 and 8 of Class I and for all categories of Class II and Class III, the appointing authorities shall consult and appoint the candidates sent by the Employment Exchange.

EXPLANATION :-

For the purpose of this rule, the post of Court Clerk in the Office of the Administrator-General and Official Trustee, Madras, when recruitment is made from registered Advocate's Clerks and Estate Clerks in category 6 of Class I, shall be an exception.

(e) (i) For filling up a vacancy by direct recruitment in category 6 of Class IV (Assistant Superintendents of Copyists, Examiners and Readers) and Class V (Senior Bailiff and copyists) the Principal District Judge or where there is no Principal District Judge, the District Judge shall consult and appoint the candidates sent by the Employment Exchange.

(ii) appointments for the posts mentioned in Clauses (i) above shall be in accordance with the rules of reservation of appointments (Rules 12).

(f) Nothing contained in this Annexure shall affect the operation of Rule 25.

(g) (i) Notwithstanding anything contained in these rules, in the case of a discharged State Government employee or a temporary State Government employee, who has not completed forty years of age, the actual period of his service under the State Government, whether continuous or non-continuous, shall be excluded in computing his age for appointment to any post under the State Government including the appointment made through the Tamil Nadu Public Service Commission.

EXPLANATION :-

For the purpose of this rule, a discharged State Government employee shall mean a person who

was in the employment of the State and was discharged because of reduction in establishment or for any other reason, but not as a disciplinary measure".

(ii) Nothing contained in Clause (i) of Paragraph (g) shall be deemed to apply to any appointment which is made through the agency of the Tamil Nadu Public Service Commission.

* Annexure III Omitted (R.O.C.8584/92/C1)