

**1. THE TAMIL NADU SLUM AREAS
(IMPROVEMENT AND CLEARANCE)**

ACT, 1971

(ACT NO. XI OF 1971)

*An Act to provide for the improvement and clearance of
slums in the State of Tamil Nadu.*

WHEREAS the number of slums in certain areas in the State of Tamil Nadu is on the increase and the slums are likely to become a source of danger to public health and sanitation of the said area.

AND WHEREAS under the existing law, it has not been possible effectively to arrest the growth of slums, to eliminate congestion and to provide for certain basic needs such as streets, water-supply and drainage in slums and to clear slums which are unfit for human habitation.

AND WHEREAS to obviate this difficulty, it is expedient to provide for the removal of un-hygenic and insanitary conditions prevailing in slums, for better accommodation and improved living conditions for slum dwellers, for the promotion of public health generally and for the acquisition of land for the purpose of improving or developing slum areas, re-developing slum clearance areas and rehabilitating slum dwellers:

AND WHEREAS it is Directive principle of State Policy embodied in the constitution that the State should regard the improvement of public health as among its primary duties.

Be it enacted by the legislature of the State of Tamil Nadu in the Twenty-second year of the Republic of India as follows:

CHAPTER 1

PRELIMINARY

1. Short title, extent and commencement: - This Act may be called Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971.

2. It extends to the whole of Tamil Nadu.

3. It should come into force on such date as the Government may, by notification, appoint and different dates may be appointed for different areas and for different provisions of this Act:

Provided that any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. **Definitions.** - In this Act, unless the context otherwise requires. -

(a) "Board" means the Tamil Nadu Slum Clearance Board, established under section 34;

(b) "Building" includes a house, out-house, stable, latrine, shed, hut, wall and any other such structure, whether of masonry, bricks, wood, mud, metal or any other materials whatsoever, but does not include part or machinery comprised in a building;

(c) "Court" means -

(i) in the city of Madras, the Madras City Civil Court;

(ii) elsewhere, the Subordinate Judge's Court having jurisdiction and if there is not such Subordinate Judge's Court, the District Court having jurisdiction;

(d) "erection" in relation to a building includes extension, alteration or re-erection;

(e) "Government" means the State Government;

(f) "land" includes building and benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth or permanently fastened to anything attached to the earth;

(g) "occupier" includes -

(i) any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable;

(ii) an owner in occupation of, or otherwise using his land or building;

(iii) a rent-free tenant of any land or building;

(iv) a licensee in occupation of any land or building; and

(v) any person who is liable to pay to the owner damages for the use and occupation of any land or buildings;

(h) "owner" includes any person, who is receiving or is entitled to receive the rent of any land or building whether on his own account or on behalf and others or as an agent, trustee, executor, administrator, receiver or guardian or who would so receive the rent or be entitled to receive the rent, if the land or building were let to a tenant;

(i) "person interested" in relation to any land or building, includes any person claiming, or entitled to claim, an interest in the compensation payable on account of the acquisition of that land or building under this Act;

(j) "prescribed authority" means any authority or person authorized by the Government in this regard, by notification;

(k) "slum area" means any area declared to be a slum area under sub-section (1) of section 3; (1) of section 3;

(l) "slum clearance area" means any slum area declared to be a slum clearance area under section 11;

(m) "State Housing Board" means the Tamil Nadu State Housing Board constituted under the Tamil Nadu State Housing Board Act, 1961 Tamil Nadu Act XVII of 1961);

(n) "work of improvement" in relation to any building in a slum area includes the execution of any one or more of the following works, namely: -

- (i) necessary repairs;
- (ii) structural alterations;
- (iii) provision of light points, water-taps and bathing places;
- (iv) construction of drains, open or covered;
- (v) provision of latrines, including conversion of dry latrines into water-borne latrines;
- (vi) provision of additional or improved fixtures or fittings;
- (vii) opening up or paving of Court-yards;
- (viii) removal of rubbish; and
- (ix) any other work including the demolition of any building or any part thereof of which in the opinion of the prescribed authority is necessary for executing any of the works specified above.

CHAPTER II

DECLARATION OF SLUM AREAS

3. Declaration of slum areas. - (1) Where the Government are satisfied that-

(a) any area is or may be a source of danger to the health, safety or convenience of the public of that area or of its neighbourhood, by reason of the area being low- or of its

neighbourhood, by reason of the area being low-lying, insainitary, squalid, overcrowded or otherwise; or

(b) the buildings in any area, used or intended to be used for human habitation are -

(i) in any respect, unfit for human habitation; or

(ii) by reason of dilapidation, over-crowding, faculty arrangement and design of such buildings, narrowness or faculty arrangement of streets, lack of ventilation, light or sanitation facilities, or any combination of these factors, detrimental to safety, health or morals, they may by notification, declare such area to be a slum area.

(2) In determining whether a building is unfit for human habitation, for the purposes of this Act, regard shall be had to its condition in respect of the following matters, that is to say: -

(i) repair,

(ii) stability,

(iii) freedom from damp,

(iv) natural light and air.

(v) water-supply

(vi) drainage and sanitary conveniences,

(vii) facilities for storage, preparation and cooking of food and for the disposal of water waste;

and the building shall be deemed to be unfit as aforesaid, if and only if it is so defective in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

Notes

There must be a notification declaring the particular area as slum area under Section 3 and as per Section 11 there must be declaration that such area comes under the slum clearance area without following the procedures under Section 3 © and 11 (notification and declaration) the Slum Clearance Board has no right to evict. The declaration under Section 11 and notification under Section 3 are mandatory.

The State is stopped from pleading the application of any other act with respect to the tenements taken possession under this Act.

1984 (1) M.L.J. 352.

CHAPTER III

PREVENTION OF GROWTH OF SLUMS

4. **Registration of buildings** - (1) (a) Within the period specified in clause (b) the owner or occupier of every building situated in any slum area shall send to the prescribed authority a statement in such form as may be prescribed.

(b) The statement under clause (a) shall be sent within such period as may be prescribed.

(2) On receipt of the statement under sub-section (1) the prescribed authority shall, on being satisfied about the correctness of the statement, register the building in a register maintained for the purpose and containing such particulars as may be prescribed and shall issue, in the prescribed form a registration certificate to the owner or occupier of the building.

NOTES

The building situated in Slum Area has to be Registered under Section 4 (1). This can be done either by the owner or the Occupier. See Rule No. 3 and the form Appendix A Registration Certificate is Appendix B.

5. Restriction on building, etc., in slum areas. (1) The prescribed authority may, by notification, direct that no person shall erect any building in a slum area except with the previous permission in writing of the **prescribed authority**.

(2) Every notification issued under sub-section (1) shall cease to have effect on the expiration of two years from the date thereof except as respect things done or omitted to be done before such cesser.

(3) Every person desiring to obtain permission referred to in sub-section (1) shall make an application in writing to the prescribed authority, in such form and containing such information in respect of the erection of the building to which the application, the prescribed authority, after making such enquiry as it considers necessary shall, by order in writing.-

(a) either grant the permission subject to such terms and conditions, if any, as may be specified in the order; or

(b) refuse to grant such permission;

Provided that before making an order refusing such permission, the applicant shall be given a reasonable opportunity to show cause why the permission should not be refused.

Notes :

The permission from the Chairman of the Tamil Nadu Slum Clearance Board. See the form in Appendix C.

(4) Nothing contained in sub-section (1) shall apply to -

(a) any works of improvement required to be executed by a notice under sub-section (1) of section 6 or in pursuance of an undertaking given under sub-section (2) of Section 9; or

(b) the erection of any building in any area in respect of which a notification has been issued under sub-section (1) of Section 11.

CHAPTER IV

IMPROVEMENT OF SLUM AREAS.

6. Power of prescribed authority to require execution of works of improvement to slum areas.- (1) Where the prescribed authority is satisfied that a reasonable expense.

(a) any slum area or any part thereof is capable of being improved so as not to be a source of danger to the health, safety or convenience of the public of that area; or

(b) any building being unfit for human habitation in a slum area can be rendered fit for human habitation.

It may serve upon the owner of the slum area or part thereof of the building, as the case may be, a notice requiring him within such time not being less than sixty days, as may be specified in the notice, to execute the works of improvement specified therein:

Provided that where the owner of the building is different from the owner of the land on which the building stands and the works of improvement required to be executed relate to provision of water-taps, bathing places, construction of drains, open or covered as the case may be, provision of water-borne latrines or removal of rubbish and such works are to be executed outside the buildings, the notice shall be served upon the owner of the land.

(2) In addition to serving a notice under sub-section (1) on the other concerned, the prescribed authority may serve a copy of the notice on any other person having an interest in the slum area or part thereof or the building or the land on which the building stands, whether as lessee, mortgagee or otherwise.

(3) In determining for the purposes of this Act, whether at a reasonable expense the slum area or part thereof can be improved or the building rendered fit for human habitation, regard shall be had to the estimated cost of the works of improvement of the slum area or part thereof of the works necessary to render the building fit for human habitation and the estimated value that the slum area or part thereof or the building will have when such works are completed.

7. Power to execute works of improvement to slum areas and to recover expenses.-

(1) If a notice under sub-section (1) of section 6 is not complied with, then, after the expiration of the time specified in the notice, the prescribed authority may itself execute the works required to be executed by the notice.

(2) All expenses incurred by the prescribed authority under this section, together with interest, at such rate as the Government may, by order, fix from the date when a demand for the expenses is made under payment, may be recovered by the prescribed authority from the owner of the slum area or part thereof or of the building or of the land on which the building stands, as the case may be, as arrears of land revenue and all such expenses and interest shall constitute a charge upon the slum area or part thereof or the building or the land on which the building stands, as the case may be;

Provided that if the owner proves that he -

(a) is receiving the rent merely as agent or trustee for some other person; and

(b) has not in his hands on behalf of that other person sufficient money to satisfy the whole demand of the prescribed authority.

his liability shall be limited to the total amount of the money which he has in his hands as aforesaid.

8. Expenses of maintenance of works of improvements, etc., to be recoverable from the occupiers of the land or building.- (1) Where works of improvement have been executed in relation to any land or building in a slum area, in pursuance of the provisions of sections 6 and 7, the expenses incurred by the prescribed authority, or as the case may be, by any local authority, in connection with the

maintenance of such works of improvement or the enjoyment of amenities and conveniences rendered possible by such works, may be recovered from the occupier or occupiers of the land or building as arrears of land revenue.

(2) The amount of expenses referred to in sub-section (1) shall be determined by order by the prescribed authority and in the case of expenses incurred by the local authority, the prescribed authority shall consult the local authority before passing an order determining the amount of expenses incurred by the local authority.

9. Power of prescribed authority to order demolition of building unfit for human habitation. - (1) Where the prescribed authority on a report from the local authority concerned or the State Housing Board or the Board or an officer authorized by the Government for this purpose is satisfied that any building being unfit for human habitation in a slum area is not capable at a reasonable expense of being rendered so fit, it shall serve upon the owner of the building and upon any other person having an interest in the building, whether as lessee, mortgagee or otherwise, a notice to show cause, within such time as may be specified in the notice, as to why an order of demolition of the building should not be made.

(2) If any of the persons upon whom a notice has been served under sub-section (1) appears in pursuance thereof before the prescribed authority and gives an undertaking to that authority that such person shall, within such period as may be specified by the authority, execute such works of improvement in relation to the building, as will in the opinion of the authority, render the building fit for human habitation or that it shall not be used for human habitation until that authority on being satisfied that it has been rendered fit for that purpose cancels the undertaking, the authority shall not make any order of demolition of the building.

(3) If no such undertaking as is mentioned in sub-section (2) is given, or if, in a case where any such undertaking has been given, any work of improvement to which the undertaking relates is not carried out within the specified period or the building is at any time used in contravention of the terms of the undertaking, the prescribed authority shall forthwith make an order of demolition of the building, or require that the building shall be demolished within such period as may be prescribed.

10. Procedure to be followed where demolition order has been made. - Where an order of demolition of building under section 9 has been made, the owner of the building or any other person having an interest therein shall demolish that building, within the period mentioned in sub-section (3) of section 9; and if the building is not

demolished within that time, the prescribed authority shall enter and demolish the building and subject to the provisions of section 61, sell the materials thereof.

CHAPTER V

SLUM CLEARANCE AND RE-DEVELOPMENT

11. Power to declare any slum area to be a slum clearance area. - (1) Where the Government, on a report from the Board or the prescribed authority, or the local authority concerned or the State Housing Board or an officer authorized by the Government for this purpose are satisfied as respects any slum area that the most satisfactory method of dealing with the conditions in the area is the clearance of such area and the demolition of all the buildings in the area, they may, by notification, declare the area to be slum clearance area, that is to say, an area to be cleared of all buildings in accordance with the provisions of this Act:

Provided that before issuing such notification the Government shall call upon the owners of the land and buildings in such slum area to show cause why such declaration should not be made and after considering the cause, if any, shown by such owners, the Government may pass such orders as they may deem fit.

(2) Any part of the slum area or any building in the slum area which is not fit for human habitation or dangerous or injurious to safety, health or morals may be excluded from the notification under sub section (1) if the Government consider it necessary.

(3) The notification under sub-section (1) shall specify each of the buildings to be demolished and the area to be cleared.

NOTES

Tenant withdraws the application and applied for refund deposited in the ejectment suit filed by the landlord.

In the meanwhile notification was made under section 11 of Act 21 of 1971 declaring the area as slum clearance.

There is no prohibition for transfer of land or building by the owner even after the area has been declared as a slum area.

The question that was considered in that case was whether the respondent can withdraw the application filed under section 9 of the City Tenant Protection Act and claim refund of the amount deposited in court - Yes.

In the writ petition filed by the slum dwellers and pavement dwellers from evicting them by the authorities under the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1972 it was held that the improving slums and providing alternative accommodation, the notification issued and the steps that are taken for improving the slum and for providing alternative accommodation is valid - no writ or direction issued except time for eviction is extended following AIR 1986 SC 180 Bombay Pavement and Slum Dwellers.

(AIR 1986 SC 204)

Section 11 (1) of the Act reads as follows. -

It is clear from the above provisions that there must be a notification declaring a particular area as a slum area under Section 3; and as per section 11 there must be a declaration that such areas come under the slum clearance area. Neither of these things has been done in this case, before the Slum Clearance Board launched its coercive proceedings to evict the appellants herein. No provision in the Act has been shown to us as to how such proceedings are taken by the second respondent herein. Even assuming that the second respondent has power to evict the appellants under Act 11 of 1971, on account of the failure on the part of the second respondent to declare the area as a slum area, and the further failure to declare such area as a slum clearance area, the action taken by the second respondent to clear the appellants from the area cannot be sustained. These declarations, in our view, are mandatory in nature and the failure to adhere to the procedure prescribed vitiates all the proceedings taken by the second respondent to evict the appellants.

1984 T L N J Page 224 dated 11.4.1984.

12. Obligation to clear area and demolish buildings. - When a slum area has been declared to be a slum clearance area under sub-section (1) of section 11, the owners of the lands and the buildings in that area shall clear the area and demolish the buildings before the expiration of such period as may be prescribed.

13. Power to clear slum clearance areas. - If any slum clearance area is not cleared or the buildings demolished before the expiration of the period mentioned in section 12, the prescribed authority shall enter and clear the area and demolish the buildings and subject to the provisions of section 61, sell the materials thereof.

14. Owner may re-develop.- (1) Subject to the provisions of this Act, where a notification under sub-section (1) of section 11 has been issued, the owner of the land to which the notification applies may re-develop the land in accordance with plans approved

by the prescribed authority and subject to such restrictions and conditions (including a condition with regard to the time within which the re-development shall be completed), if any, as that authority may think fit to impose:

Provided that an owner who is aggrieved by a restriction or condition so imposed on the user of his land or by a subsequent refusal of the prescribed authority to cancel or modify any such restriction or condition may, within such time as may be prescribed, appeal to the Government and the Government shall make such order in the matter as they think proper and their decision shall be final.

(2) No person shall commence or cause to be commenced any work in contravention of a plan approved or a restriction or condition imposed under sub-section (1).

15. Power of prescribed authority to re-develop clearance area. - (1) Notwithstanding anything contained in sub-section (1) of section 14, the prescribed authority may, at any time, after the land has been cleared and the buildings have been demolished in accordance with the foregoing provisions of this Chapter but before the work of re-development of that land has been commenced by the owner, by order, determine to re-develop the land if that authority is satisfied that it is necessary in the public interest to do so.

(2) Where land has been cleared and the buildings have been demolished in accordance with the foregoing provisions of this Chapter, the prescribed authority, if it is satisfied that the land has been, or is being re-developed by the owner thereof in contravention of plans approved by the authority or any restrictions or conditions imposed under sub-section (1) of section 14, or has not been re-developed within the time, if any, specified under such conditions, may, by order, determine to re-develop the land:

Provided that before passing an order under sub-section (1) or sub-section (2), the owner shall be given a reasonable opportunity to show cause why the order should not be passed.

(3) All expense incurred by the prescribed authority under this section, together with interest at such rate as the Government may, by order, fix from the date when a demand for the expenses is made until payment, may be recovered by the prescribed authority from the owner of the land as arrears of land revenue and all such expenses and interest shall constitute a charge upon the land and the building.

(4) The amount of expenses referred to in sub-section (3) shall be determined by order by the prescribed authority.

16. **Rules to provide for transfer to previous occupants.** - Subject to the provisions of this Act, the Government may, by rules, provide for or regulate the transfer, to persons who immediately before the transfer, to persons who immediately before the declaration of any slum area to be a slum clearance area, were occupying lands or buildings in that area, or lands or buildings in such slum clearance area after its re-development and the conditions of such transfer.

CHAPTER VI

ACQUISITION OF LAND

¹[17. **Power to acquire land.** - (1) Where the Government are satisfied that, for the purpose of executing any work of improvement in relation to any slum area or any building in such area or for the purpose of re-developing any slum clearance area, or for the purpose of rehabilitating slum dwellers, it is necessary to acquire any land within, adjoining or surrounded by any such area or any other land not lying in such area, they may acquire the land by published in the Tamil Nadu Government Gazette, a notice to the effect that they have decided to acquire the land in pursuance of this section.

(2) Before publishing a notice under sub-section (1), the Collector, or any officer, authorized by the Government in this behalf shall call upon the owner or any other person, who, in the opinion of the Collector or the officer so authorized, may be interested in such land, to show cause why it should not be acquired. The Collector or the officer shall, after considering the cause, if any, shown by the owner or other person interested in the land, make a report to the Government containing his recommendations on the causes so shown, for the decision of the Government. After considering such report, the Government may pass such orders as they deem fit.

18. **Land acquired to vest in Government free from all encumbrances.** - When a notice under section 17 is published in the Tamil Nadu Government Gazette, the land to which the said notice relates shall, on and from the date on which the notice is so published, vest absolutely in the Government free from all encumbrances.

19. **Right to receive compensation.** - Every person having any interest in any land acquired under this Act shall be entitled to receive and be paid compensation as hereinafter provided.

20. **Compensation.** - (1) The compensation payable in respect of any land acquired under this Act shall be the market-value of such land on the date of the publication of the notice referred to in section 17.

(2) The prescribed authority shall, after holding an enquiry in the prescribed manner, determine by order the amount of compensation under sub-section (1) ²[***]. A copy of the said order shall be communicated to the owner of the land and every person interested therein.

(3) Where the owner of the land and the owner of the building on such land are different, the prescribed authority shall apportion the amount of compensation between the owner of the land and the owner of the building (in the same proportion as the market-value of the land bears to the market-value of the building on the date of the acquisition).

NOTES

Acquisition Proceedings. - Determination of question of quantum of compensation in view of the Judgement in W A No. 1495 of 1979, dated 25th of 1985 holding that the compensation available could be only on the basis as determinable under the Land Acquisition Act.

(1984 (1) M L J page 352)

21. Matters to be neglected in determining compensation. - In determining the amount of compensation under section 20.

(1) no solatium shall be payable in consideration of the compulsory nature of the acquisition;

(2) the following factors shall not be taken into account, namely: -

- (a) the degree of urgency which has led to the acquisition;
- (b) any disinclination of the person interested to part with the land acquired;
- (c) any damage sustained by him which, if caused by a private person, would not render such person liable to a suit;
- (d) any damage which is likely to be caused to the land acquired after the date of the publication of the notice under sub-section (1) of section 17, by or in consequence of the use to which it will be put;
- (e) any increase to the value of the land acquired likely to accrue from the use to which it will be put when acquired;
- (f) any increase to the value of the other land of the person interested likely to accrue from the use to which the land acquired will be put;

(g) any increase to the value of the land by reason of the use thereof in a manner which is detrimental to the health of the occupants of the land or to the public health;

(h) any outlay or improvement on, or disposal of, the land acquired, commenced, made or effected without the sanction of the prescribed authority after the date of the publication of the notice under sub-section (1) of section 17.

22. Appeal against order of compensation. - Any person who does not agree to the amount of compensation determined by the prescribed authority under sub-section (2) of section 20 may prefer an appeal to the Court within such period as may be prescribed.

23. Apportionment of compensation. - (1) Where several persons claim to be interested in the amount of compensation determined, the prescribed authority shall determine the persons who in its opinion are entitled to receive compensation and the amount payable to each of them.

(2) If any dispute arises as to the apportionment of the compensation or any part thereof, or as to the persons to whom the same or any part thereof is payable, the prescribed authority may refer such dispute to the decision of the Court and the Court shall, in deciding any such dispute follow as far as may be, the provisions of Part iii of the Land Acquisition Act, 1894 (Central Act I of 1894).

24. Payment of compensation. - (1) After the amount of compensation has been determined, the prescribed authority shall tender payment of the compensation to the persons entitled thereto and shall pay it to them.

(2) If the persons entitled to the compensation do not consent to receive it or if there be no person competent to alienate the land, or if there be any dispute as to the title to receive compensation, or as to the apportionment of it, the prescribed authority shall deposit the amount of compensation in the Court, and the Court shall deal with the amounts so deposited in the manner laid down in sections 32 and 33 of the Land Acquisition Act, 1984 (Central Act I of 1984).

25. Payment of interest. - When the amount of such compensation is not paid or deposited on or before taking possession of the land, the prescribed authority shall pay the amount with interest thereon at the rate of four percent, per annum from the time of so taking possession until it shall have been so paid or deposited and such interest shall

be paid or deposited by the prescribed authority in the same manner as provided for the amount of compensation.

26. Appeal to High Court. - Subject to the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), applicable to appeals from original decrees, and notwithstanding anything to the contrary in any enactment for the time being in force, a second appeal shall only lie to the High Court from any decision of the Court under this Act if the amount of compensation as determined by the prescribed authority exceeds rupees twenty-five thousand.

27. Power of prescribed authority in relation to determination of compensation etc. - (1) The prescribed authority may, for the purpose of carrying out the provisions of sections 20, 21, 23, 24 and 25, by order, require any person to furnish such information in his possession relating to any land which is acquired under this Act as may be specified in such order.

(2) The prescribed authority shall, while holding an enquiry under this Act, have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908 (Central Act V of 1908), in respect of the following matters, namely: -

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) reception of evidence on affidavits;
- (d) requisitioning any public record from any Court or office;
- (e) issuing commission for examination of witnesses.

28. Use of land acquired. - (1) Where any land has been acquired under this Act, the Government may undertake or cause to be undertaken such measures as may be necessary for the improvement, development, clearance or re-development of the land, or the erection of buildings thereon, in accordance with such plan as may be approved by them.

(2) (i) For the purpose of undertaking the measures referred to in sub-section (1), the Government may either hold the land under their own control and management and undertake such measures themselves or through the Board on such terms and conditions as may be determined by them, or transfer the land to the local authority concerned or the Board for the purpose of undertaking those measures.

(ii) Where the land is transferred as provided in clause (i), such land shall vest in the local authority concerned or the Board, as the case may be, and the local authority or the Board shall-

(a) pay to the Government the cost of acquisition of the land or such portion thereof as the Government may determine in each case; and

(b) undertake the measures referred to in sub-section (1) in accordance with such plans as may be approved by the government, and subject to such directions as may, from time to time, be given by the Government.

NOTES

Chapter VI was struck down as unconstitutional (being violation of Article 14 of the Indian Constitution). Notice was served by the Tamil Nadu Slum Clearance Board under Section 17 (2) to show cause why the lands mentioned in the Schedule should not be acquired.

Writ of mandamus to quash the acquisition proceedings and to forebear the respondents from acquiring the lands for the purpose of Tamil Nadu Slum Clearance Board under the Act was issued.

[1983 (2) MLJ P. 459] Dated 25th March 1983.

NOTES - (Contd...)

It cannot be gainsaid that at its heart the law enforcement problem has always been and will remain a human problem. In human living conditions lack of hygiene and sanitation prevalent in slums produce serious crime problems. The day of the silent poor must come to an end. There is anger and bitterness in the contemporary slums. Slums in an affluent society constitute an anachronism. Many a children born in slum are diseased at birth, stricken with hereditary illness, but the greatest of all illness is poverty, since it is the most deadly and prevalent disease. More often than not lack of job and money is not the cause of poverty but the symptom. The cause lies deeper in our failure to give fellow citizens a fair habitation and decent living. Provisions of Chapter VI of the Act are however clearly unconstitutional being violative of Article 14 of the Constitution of India.

At the same time, there is no justification for holding the other provisions of the Slum Clearance Act unconstitutional. The Act can exist even de hors of Chapter VI.

Applying the doctrine of severance, chapter VI of the Act is struck down as unconstitutional. This decision was overruled in 1995 W.L.R. P.781 the State of Tamil

Nadu & Ors. v. Ananthammal 22.11.1994 CA No. 3312 of 1991 and held that Chapter VI is constitutionally valid. The provision of Chapter VI of the Slum Clearance Act are held to be "intravires" the constitution.

1995 Writ L.R. 781

SUPREME COURT OF INDIA

22nd November, 1994/Civil Appeal No.3312 of 1981

J.S. Verma, S.P. Bharucha and K.S. Paripoornan, JJ.

The State of Tamil Nadu & Ors.

vs.

Ananthi Ammal & Ors. ...Respondents

Tamil Nadu Acquisition of Land of Harijan Welfare Schemes Act (31 of 1978), S.11(1), and Constitution of India, Arts. 14 and 31-C- Tamil Nadu Act, held, intra vires, except a part of S.11(1), in so far as it provides for payment of compensation in instalments - S.11(1) part, is severable and remaining part of the Section and the Act upheld, as not violative of Art.14-Judgement of Madras High Court reversed.

No unreasonableness in S.20 enacting that provisions of Land Acquisition Act, shall save an expressly provided, cease to apply to the land.

Applicability of the Act according to S.22, to cases in which proceedings had been started under L.A. Act before the commencement of the said Act but no award has been passed - No unreasonableness.

Obligation of the prescribed authority under S. 7(2) to award marked value plus 15% solatium - Appeal contemplated under 5.9 is in respect of the award for the land which comprises its marked value and solatium - Ss.7 and 9 should not be read so as to render S.9 an absurdity.

Compensation determined under the L.A. Act on the basis of "Market Value" of land on date of S.4 (1) Notification is on a specified principle - In the same way, it is of no great consequence when compensation is determined (under this enactment) on the basis of market value on a date anterior to the date of extinction of interest, which is still determined "on a principle specified" with in Art.31(2). Provisions of S.4 of the Act, held, substantially encapsulate provisions of Ss.4 to 6 of L.A. Act, and are not unreasonable or arbitrary.

Tamil Nadu Slum Clearance Act - Chapter VI, held to be intravires the Constitution
- See Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act (31 of 1978) etc.

(Para 26)

Constitution of India, Arts. 14 and 31-C, etc. - See Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act (31 of 1978), S.11(1), etc.

Held : "We do not find the provisions of the said Act, except for the provision as to instalments, in Section 11, violative of the provisions of Article 14 of the Constitution of India. It is therefore unnecessary to consider whether or not the said Act has the protection of Article 31-C of the Constitution".

Except for the provisions of Section 11(1) of the said Act, in so far they provide for payment of the compensation amount in instalments the said Act is intra vires the Constitution Section 11(1) is valid only to this extent.

Paras 9, 20

"We must, however, take account of the fact that the judgment under appeal striking down the said Act was delivered as far back as September, 1981, and no stay thereof, was obtained from the court. It is likely, therefore, that in cases where proceedings under the Land Acquisition Act had already been started to acquire lands for Harijan Welfare Schemes, they might have been revived and completed in the interregnum. We, therefore, make it clear that the provisions of section 22 shall have no effect in such cases where awards have been made."

Para 18.

"S. 22 makes the provisions of the said Act applicable also to cases in which proceedings have been started before the commencement of the said Act under the Land Acquisition Act for the purpose of Harijan Welfare Schemes, provided that no award has been made under the Land Acquisition Act. We see no unreasonableness in this provision".

Para 18.

It is true that the said Act provides for matters which are to be ignored in determining the amount under Section 8, but does not make provision, as the Land Acquisition Act does, in determining the amount. It has, however, to be realised that the concept of market value and how it is to be determined is well established. Under the Land Acquisition Act compensation is determined on the basis of "market value" of the

land on the date of the notification under Section 4(1) of the Act. That is a specification of principle. Compensation determined on the basis of market value prevailing on a date anterior to the date of extinction of interest is still determined "on a principle specified". It is therefore, of no great consequence that the said Act does not go on to specify what is to be taken into account in determining the amount payable as compensation for land that is acquired thereunder.

Para 11.

The provisions of Section 4, substantially encapsulate the provisions of Sections 4 to 6 of their Land Acquisition Act, the only major difference being that, under the said Act, it is the District Collector and not the State Government who must be satisfied that the land is required to be acquired. "It does not appear to us that this is a provision which is unreasonable or arbitrary."

When a statute is impugned under Article 14, what the Court has to decide is whether the statute is so arbitrary or unreasonable that it must be struck down. At best, a statute upon a similar subject which desires its authority from another source can be referred to, if which desires its authority from another source can be referred to, if which desires its authority from another source can be referred to, if its provisions have been held to be reasonable or have stood the test of time, only for the purpose of indicating what may be said to be reasonable in the context. "we proceed to examine the provisions of the said Act upon this basis"

Para 7.

"We have held the provisions of the said Act (TN Act. 31 of 1978) to be valid legislation except in so far as they provide for payment of the compensation amount in instalments. The said Act being valid legislation, its provisions preclude the State from acquiring land for the purpose of a Harijan Welfare Scheme under the Land Acquisition Act. The appeal is allowed and the proceedings under the Land Acquisition Act to acquire the appellant's land for the purpose of a Harijan Welfare Scheme are, therefore, quashed and set aside".

Para 29.

AIR 1954 S.C. 493;

AIR 1988 S.C. 485;

AIR 1969 S.C. 64;

1962-1-S.C.R.676; and

1991-4-S.C.C.95; Referred to.

The provisions of Chapter VI of the Slum Clearance Act are held to be intra vires the Constitution.

Para 26

Judgement of the Madras High Court reversed

Civil Appeals allowed

CHAPTER VII

PROTECTION OF (OCCUPANTS) IN SLUM AREAS FROM EVICTION

29. Proceedings for eviction of [occupants] not to be taken without permission of the prescribed authority :- (1) Notwithstanding anything contained in any other law for the time being in force, no person shall except with the previous permission in writing of prescribed authority -

(a) institute, after the commencement of this Act any suit or proceedings for obtaining any decree or order for the eviction ¹ [an occupant] from any building or land in such area:or

(b) where any degree or order is obtained in any suit or proceeding instituted before such commencement for the eviction of ³ [an occupant] from any building or land in such area, execute such decree or order.

(2) Every person desiring to obtain the premission referred to in sub-section (1) shall make an application in writing to the prescribed authority in such form and containing such particulars as may be prescribed.

(3) On receipt of such application, the prescribed authority after giving an opportunity to the parties of being heard and after making such summary enquiry into the circumstances of the case as it thinks fit shall by order in writing, either grant or refuse to grant such permission.

(4) In granting or refusing to grant permission under sub-section (3), the prescribed authority shall take into account the following factors, namely:-

(a) Whether alternative accommodation within the means of the ⁴ [occupant] would be available to him if he were evicted:

(b) Whether the eviction is in the interest of improvement and clearance of the slum area;

(c) such other factors, if any, as may be prescribed.

(5) Where the prescribed authority refuses to grant the permission, it shall record a brief statement of the reasons for such refusal and furnish a copy thereof to the applicant.

⁵[**Explanation.**- In, this section and, in sections 31, 32, and 33, 'occupant' means an occupier, not being an owner in occupation of, or otherwise using, his hand or building.]

NOTES

The respondent, 'K' had obtained a decree for eviction against the Petitioners and thereafter, filed execution petitions for taking delivery of possession of the disputed areas from the petitioners. One of the defences taken by the petitioners in those execution petitions filed by the respondent decree-holder was that as the area, which was the subject-matter of the suit and from which they were sought to be ejected, had already been declared as slum area under a notification issued under Section 3 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 the execution petition cannot be maintained unless permission had been obtained from the Slum Clearance Board as required under Section 29 of the said Act. The executing Court relying on Section 5(2) of the Act held that as the notification declaring the area to be a slum area had become unenforceable on the expiry of two years as contemplated by Section 5(2), the embargo contained in Section 29 was no longer in operation and that therefore, the respondent decree holder can maintain the execution petitions without any permission from the Slum Clearance Board, in that view, the executing Court allowed the execution to proceed and directed delivery of possession in accordance with the decree obtained against the petitioners. Aggrieved by the order of the executing Court, the petitioners filed a revision.

Held. - The two years period referred to in Section 5(2) applied only to a notification issued under Section 5(1) preventing the erection of any building in a slum area, without permission, and it did not refer to any notification issued under Section 3 declaring a particular area as a slum area. Therefore, the Executing Court was in error in stating that the declaration declaring the area as slum area has ceased by efflux of time and therefore, Section 29 could not come in the way. The application of Section 29 could

not be avoided on the ground that two years time had elapsed since the issue of the notification declaring the area as slum area.

A conjoint reading of all the sub-sections of Section 29 of the Act would clearly indicate that the legislature intended to impose a restriction on the owner of the land either executing the decree obtained earlier or instituting a suit for eviction against an occupant of slum area, by imposing a precondition that the owner of the slum area should get the permission of the requisite authority either for filing the suit for eviction or for executing the decree obtained earlier against an occupant without such permission.

So long as there is no permission in writing obtained by the owner of the slum area execution proceedings cannot be maintained in view of the prohibition contained in Section 29 (1980) 2 MLJ83 = 93 LW 142 = AIR 1908 Madras 246. Contention, as to petition without prior sanction by the Slum Board being incompetent - landlord securing order under section 29- order revoked later - Order once passed not liable to be revoked or cancelled.

(1984) 2 MLJ 310

A conjoint reading of all the sub-sections of Section 29 of the Act clearly indicate that the legislature intends to impose a restriction on the owner of the land either executing the decree obtained earlier or instituting a suit for eviction against the occupant of slum area by imposing a re-condition that the owners of slum area should get the permission of the requisite authority either for filing a suit for eviction or for executing the decree that has already been obtained.

AIR 1980 Madras Page 246 Dated 17th October 1979

Overruling 1977 (II) MLJ Short Notes Page 17

1985 TLNJ 308 Dt. 29.10.85.

30. Appeal against order refusing permission - Any person aggrieved by an order of the prescribed authority, refusing to grant the premission under sub-section (4) of Section 5 or under sub-section (3) of section 29 may, within such time as may be prescribed, prefer an appeal to the Government and the Government may, after hearing the appellant, decide such appeal and their decision shall be final.

31. Restoration of possession of premises vacated by ¹[an occupant].-

(1) Where ¹[an occupant] in occupation of any building in a slum area vacates any building or is evicted therefrom on the ground that it may be required for the purpose of

executing any work of improvement or for the purpose of re-direction of the building, the ¹[an occupant] may, within such time as may be prescribed, file a declaration with the prescribed authority that he desires to be replaced in occupation of the building after the completion of the work of improvement or re-erection of the building as the case may be.

(2) On receipt of such declaration, the prescribed authority shall, by order, require the owner of the building to furnish to it, within such time as may be prescribed, the plan of the work of improvement or re-erection of the building and estimates of the cost thereof and such other particulars as may be necessary and shall, on the basis of the plan and having regard to the provisions of sub-section (3) of section 32 and after holding such enquiry as to what may think fit, provisionally determine the rent that would be payable by the [occupant] if he were to be replaced in occupation of the building in pursuance of the declaration made by him under sub-section (1)

(3) The rent previously determined under sub-section (2) shall be communicated in the prescribed manner to the ¹[occupant] if he were to be replaced in occupation of the building in pursuance of the declaration made by him under sub-section (1).

(4) If the ¹[occupant], after the receipt of such communication, intimates in writing to the prescribed authority within such time as may be prescribed that when he is replaced in occupation of the building in pursuance of the declaration made by him under sub-section (1), he would pay to the owner, until the rent is finally determined under section 32, the rent provisionally determined under sub-section (2), the prescribed authority shall direct the owner to place the ¹[occupant] in occupation of the building after the completion of the work of improvement or re-erection of the building, as the case may be, and the owner shall be bound to comply with such direction.

32 Rent of buildings in slum areas. - (1) Where any building in a slum area is let to ¹[an occupant] after the execution of any work of improvement or after it has been re-erected, the rent of the building shall be determined in accordance with the provisions of this section.

(2) Where any such building is let to ¹[an occupant] other than ¹[an occupant] who is placed in possession of the building in pursuance of a direction issued under sub-section (4) of Section 31, the ¹[occupant] shall be liable to pay to the owner -

(a) if there is a general law relating to the control of rents in force in the area in which the building is situated and applicable to that building, the rent determined in accordance with the provisions of that law or the agreed rent whichever is less;

(b) if there is no such law in force in such area, such rent as may be agreed to between the owner and the 1[occupant].

(3) Where any such building is let to 1[occupant] shall, notwithstanding any law relating to the control of rents in force in the area, be liable to pay to the owner -

(a) if any work of improvement has been executed in relation to the building, an annual rent of a sum equivalent to the aggregate of the following amounts, namely:-

(i) the annual rent the 1[occupant] was paying immediately before he vacated the building for the purpose of execution of the work of improvement;

(ii) six per cent, of the cost of the work of improvement; and

(iii) six per cent, of a sum equivalent to the compensation payable in respect of any land which may have been acquired for the purpose of effecting such improvements as if such land were acquired under section 17 on the date of the commencement of the work of improvement;

(b) if the building has been re-erected, an annual rent of a sum equivalent to four per cent, of the aggregate cost of re-erection of the building and the cost of the land on which the building is re-erected.

Explanation. - For the purpose of the clause, the cost of the land shall be deemed to be a sum equivalent to the compensation payable in respect of the land if it were acquired under section 17 on the date of commencement of the re-erection of the building.

(4) The rent payable by 1[an occupant] in respect of any building under sub-section (3) shall, on an application made by the 1[occupant] or the owner, be determined by the authority referred to in sub-section (5);

Provided that an application for determination of such rent by the owner or the 1[occupant] shall not, except for sufficient cause, be entertained by such authority after the expiry of ninety days from the date of completion of the work of improvement or re-erection of the building as the case may be.

(5) The authority to which the application referred to in sub-section (4) shall be made, shall be-

(a) Where there is a general law relating to the control of rents in force in the area in which the building is situated, the authority to whom applications may be made for fixing of rents of buildings situated in that area; and for the purposes of determining

the rent under this section that authority may exercise all or any of the powers it has under the said general law; and the provisions of such law including provisions relating to the appeals shall apply accordingly;

(b) if there is no such law in force in that area such authority as may be specified by rule made in this behalf by the Government and such rules may provide the procedure that will be followed by that authority in determining the rent and also for appeals against the decision of such authority.

(6) Where the rent is finally determined under this section, then the amount of rent paid by the 1[occupant] shall be adjusted against the rent so finally determined and if the amount so paid falls short of, or is in excess of, the rent finally determined the 1[occupant] shall pay the deficiency or be entitled to a refund, as the case may be.

33. Chapter not to apply to 1[occupant] of certain buildings. - Nothing in this Chapter shall pay to or in relation to 2[an occupant] of any building situated in a slum area and belonging to the Government or Board or any local authority.

CHAPTER VIII

SLUM CLEARANCE BOARD

34. Establishment of Slum Clearance Board. - (1) with effect from such date as the Government may, by notification, appoint in this behalf there shall be established by Board by the name of the Tamil Nadu Slum Clearance Board.

(2) The Board shall be a body corporate having perpetual succession and a common seal, and shall, by the said name sue and be sued.

35. Constitution of the Board. - (1) The Board shall consist of a Chairman and such number of other official and non-offical members not exceeding fifteen as may be prescribed.

(2) The Chairman and other members of the Board shall be appointed by the Government.

(3) No act or proceeding of the Board shall be invalid by reason only by the existence of any vacancy among its members or any defect in the appointment of a member thereof.

36. Conditions of service of members. - The terms and conditions of the service of members of the Board shall be such as may be prescribed.

37. Appointment of officers and servants. - (1) The Secretary to the Board shall be appointed by the Government.

(2) The Secretary shall be the Chief Executive Officer of the Board.

(3) The Board may appoint such other officials and servants as it considers necessary for the efficient performance of its functions.

38. Conditions of service of officers and servants. - (1) The pay and other conditions of service of the officers and servants of the Board shall be such as may be prescribed.

(2) Where any officer or servant of the State Housing Board is appointed in the Board, his conditions of service (including conditions as to pay, provident fund, pension and gratuity) shall be subject to such rules as may be made in this behalf by the Government.

39. General disqualification of members, officers and servants. - No person who has directly or indirectly by himself, or his partner or agent, any share or interest in any contract by or on behalf of the Board, shall become or remain a member or officer or servant of the Board.

40. Functions of the Board. - The functions of the Board shall be -

(a) to exercise the powers of the prescribed authority in cases where the Government have, by notification, directed the powers of the prescribed authority shall be exercised by the Board;

(b) such other functions as may be prescribed.

41. Finance, accounts and audit. - The provisions of Chapter XII of the Tamil Nadu State Housing Board Act, 1961 (Tamil Nadu Act XVII of 1961), relating to finance, accounts and audit shall apply, as far as may be, to the Board as the said provisions apply to the State Housing Board.

42. No disqualification in certain cases. - No person shall be disqualified for being chosen as, or for being a member of the Legislative Assembly or of the Legislative Council by reason only of the fact that he is a Chairman or a member of the Board.

43. Power of Board to make regulations. - The Board may make regulations in regard to the meetings of the Board and the conduct of business.

44. Board to comply with directions of Government. - It shall be the duty of the Board to comply with such directions as the Government may, from time to time, issue either generally or in regard to any particular matter.

45. Powers of the State Housing Board to cease. - With effect from the date of the establishment of the Board, the State Housing Board shall cease to exercise any function under the Tamil Nadu State Housing Board Act, 1961 (Tamil Nadu Act XVII of 1961), in respect of matters dealt with in this Act and in particular, the improvement of the slum area, the clearance of a slum area and the re-development of a slum clearance area.

46. Transfer of certain assets and liabilities of the State Housing Board to the Board.- (1) All property, assets, rights and liabilities of the State Housing Board shall, in so far as such property, assets, rights and liabilities are relatable immediately before the date of the establishment of the Board to the improvement of the slum area, the clearance of the slum area and the re-development of the slum clearance area, stand transferred to and vested in the Board.

(2) (a) If any dispute arises whether any property, assets, rights and liabilities stand transferred to and vested in the Board under sub-section (1), the dispute shall be referred to the decision of the Government and their decision shall be final.

(b) Before giving any decision on any such dispute the Government shall give an opportunity to the State Housing Board and to the Board to make representations.

47. Board to enforce certain Contracts and agreements.- (1) All contracts, agreements and other instruments of whatever nature subsisting or having effect immediately before the date of the establishment of the Board and to which the State Housing Board is a party, in so far as such contracts, agreements and instruments are relatable to the improvement of a slum area, the clearance of a slum area and the re-development of the slum clearance area shall be of as full force and effect against or in favour of the Board and may be enforced or acted upon as fully and effectually as if, instead of the State Housing Board, the Board had been a party thereto or as if they had been entered into or issued in favour of the Board.

(2) If, on the date of the establishment of the Board, any suit, appeal or other legal proceeding of whatever nature by or against the State Housing Board is pending, then such suit, appeal or other legal proceeding in so far as it is relatable to the improvement of the slum area, the clearance of a slum area and the re-development of a slum clearance area, shall not abate, be discontinued or be in anyway prejudicially affected by

reason of the transfer to the Board of the property, assets, rights and liabilities of the State Housing Board or of anything done under this Act, but the suit, appeal or other legal proceedings may be continued, prosecuted and enforced by or against the Board.

Explanation - For the purpose of this sub-section, legal proceedings' includes any proceeding under the Land Acquisition Act, 1984 (Central Act I of 1894).

48. Payment of certain amount by the State Housing Board to the Board. - Subject to the provisions of section 46, the State Housing Board shall, out of its funds, as on the date of the establishment of the Board, pay to the Board, such amount as the Government may, in consultation with the State Housing Board, specify.

CHAPTER IX

MISCELLANEOUS

49. Board to exercise the powers of prescribed authority. - The Government may, by notification, direct that any power exercisable by the prescribed authority under this Act, may be exercised, by the Board in such cases, and subject to such conditions if any, as may be specified in the notification and on the issue of such notification, the prescribed authority shall not exercise the power in respect of the matters specified in such notification.

50. Service of notices and orders. - (1) Save as otherwise provided in this Act and subject to the provisions of this section and of any rules made in this behalf every notice issued or order made under this Act shall -

(a) in the case of any notice or order of a general nature or affecting a class of persons, be published in the Tamil Nadu Government Gazette;

(b) in the case of any notice or order affecting an individual corporation or firm, be served in the manner provided for the service of summons in rule 2 of Order XXIX or rule 3 or Order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908 (Central Act V of 1908); and

(c) in the case of any notice or order affecting an individual person (not being a corporation or firm), be served on such person-

(i) by delivering or tendering it to that person; or

(ii) if it cannot be so delivered or tendered, by delivering or tendering it to the head of the office in which such person is employed, or to any adult male servant of such person, or to any adult male member of the family of such person, or by affixing a copy

thereof on the outer door or on some conspicuous part of the premises in which that person is known to have last resided or carried on business or personally worked for gain; or

(iii) failing service by any of the means aforesaid, by post or by affixing a copy of the said notice or order on some conspicuous part of the land or building to which it relates.

(2) Where the notice or order cannot be served without undue delay, due to any dispute in the ownership of the land or building or due to the person to whom the notice or order is intended being not readily traceable, the notice or order may be served by publishing it in the Tamil Nadu Government Gazette, and where possible, by affixing a copy thereof on some conspicuous part of the land or building to which it relates.

51. Powers of entry. - It shall be lawful for any person authorized by the prescribed authority in this behalf to enter into or upon any land or building in any slum area or slum clearance area with or without assistance or workmen, in order to make any enquiry, inspection measurement, valuation or survey, or to execute any work which is authorized by or under this Act or which it is necessary to execute for any of purposes or in pursuance of any of the provisions of this Act or of any rule or order made there under.

52. Powers of inspection. - (1) The Government may, by general or special order, authorise any person -

(a) to inspect any drain, latrine, urinal, cesspool, pipe, sewer or channel in or on any land or building in a slum area or slum clearance area, and in his discretion to cause the ground to be opened for the purpose of preventing or removing any nuisance arising from the drain, latrine, urinal, cesspool, pipe, sewer or channel as the case may be;

(b) to examine works under construction in the slum area or to take level or to remove, test, examine, replace or read any meter.

(2) if no such inspection, the opening of the ground is found to be necessary for the prevention or removal of a nuisance, the expenses thereby incurred shall be paid by the owner or occupier of the land or building, but if it is found that no nuisance exists or but for such opening would not have arisen, the ground or portion of any building, drain, or other work opened, injured or removed, for the purpose of such inspection shall be filled in, reinstated, or made good, as the case may be, by the Government.

53. Power to enter land adjoining land where work is in progress. - (1) Any person authorized by the Government in this behalf may, with or without assistants or

workmen, enter on any land within forty -five meters of any work authorized by or under this Act for the purpose of depositing thereon any soil, gravel, stone or other materials, or for obtaining access to such work or for any other purpose connected with the carrying on of the same.

(2) The person so authorized shall, before entering on any land under sub-section (1), state the purpose thereof, and shall, if so required by the occupier or owner fence off so much of the land as may be required for such purpose.

(3) The person so authorized shall, in exercising any power conferred by this section do as little damage, as may be, and compensation shall be payable by the Government to the owner or occupier of such land or to both for any such damage whether permanent or temporary in accordance with such rules as may be made.

54. Power to enter into buildings.- It shall be lawful for any person authorized by the prescribed authority in this behalf to enter into any place or to open or cause to be opened any door, gate or other barrier -

(a) if he considers the opening thereof necessary for the purpose of such entry; and

(b) if the owner or occupier is absent, or being present refuses to open such door, gate or barrier.

55. Entry to be made in the day time.- No entry authorised by or under this Act shall be made except between the hours of sunrise and sunset.

56. Occupier's consent ordinarily to be obtained. - Save as provided in this Act, no land or building shall be entered without the consent of the occupier, or if there be no occupier, of the owner thereof, and no such entry shall be made without giving the said occupier or owner, as the case may be, not less than twenty-four hours written notice of the intention to make such entry :

Provided that no such notice shall be necessary if the place to be inspected is a shed for cattle or a latrine, urinal or a work under construction.

57. Powers of eviction. - Notwithstanding anything contained in this Act, where the prescribed authority is satisfied either upon a representation from the owner of a building or upon other information in its possession that the occupants of the building have not vacated it in pursuance of -

(i) any notice, order or direction issued by the prescribed authority; or

(ii) any notice or direction issued by the owner; the prescribed authority shall, if satisfied that such eviction is necessary to carry out the purposes of the Act, by order, direct the eviction of the occupants from the building, in such manner and within such time as may be specified in the order and may for that purpose use or cause to be used such force as may be necessary: -

Provided that, before making any order under the section, the prescribed authority shall call upon the occupants of the building to show cause why they should not be evicted therefrom and after considering the cause if any, shown by any occupants, the prescribed authority may pass such orders as it deems fit.

58. Power to remove dangerous or offensive trades from slum areas. - The prescribed authority may, by order in writing, direct any person carrying on any dangerous or offensive trade in a slum area to remove the trade from that area within such time as may be specified in the order:

Provided that before making any order under the section the prescribed authority shall call upon the person carrying on the trade to show cause why the order should not be made and after considering the cause, if any, shown by such person, the prescribed authority may pass such orders as it deems fit.

59. Appeal. - (1) Except as otherwise expressly provided in this Act, any person aggrieved by any notice, order or direction issued by the prescribed authority may, within such time as may be prescribed, appeal to the Government.

(2) Every appeal under this Act shall be made by petition in writing accompanied by a copy of the notice order or direction appealed against.

(3) On the admission of an appeal, all proceedings to enforce the notice, order or direction and all prosecutions for any contravention thereof shall be held in abeyance pending the decision on the appeal and the notice, order or direction is set aside on appeal, disobedience thereto shall not be deemed to be an offence.

(4) No appeal shall be decided under this section unless the appellant has been heard or has had a reasonable opportunity of being heard.

(5) The decision of the Government on appeal shall be final and shall not be questioned in any Court.

60. Order of demolition of buildings in certain cases. - Where the erection of any building has been commenced, or is being carried out, or has been completed, in contravention of any restriction or conditions imposed under section 14 or of a plan for

the re-development of any slum clearance areas or in contravention of any notice, order or direction issued under this Act, the prescribed authority may in addition to any other remedy that may be resorted to under this Act, or under any other law, make an order directing that such building shall be demolished by the owner thereof, within such time, not exceeding sixty days, as may be specified in the order, and on the failure of the owner to comply with the order within the time specified, the prescribed authority may itself cause the building to be demolished and subject to the provisions of section 61, sell the materials thereof:

Provided that, before making any order under this section, the prescribed authority shall call upon the owner to show cause why the order should not be made and after considering the cause, if any, shown by such owner, the prescribed authority may pass such orders as it deems fit.

NOTES

Writ Petition No. 13464 of 1988. - If the Board want to demolish the building or remove encroachments they have to resort to proceedings laid down under Section 60 of the Act, under the provision the authorities are empowered to demolish a building if it is built or has been completed in contravention of the provision of the Act after giving time to the owner not exceeding 60 days that the owner should be directed to demolish the building and if they fail to demolish the building, the prescribed authority may itself cause the building to be demolished subject to the provisions of Section 61 of this Act

1989 (II) LW Page 122 Dated 12th January 1989)

61. Disposal of proceeds or sale of materials of demolished building and recovery of expenses. - (1) Where the materials of any building demolished by the prescribed authority, under section 10, section 13 or section 60 are sold, the prescribed authority shall apply the proceeds of such sale in or towards payment of the expenses incurred by that authority under that section and pay any surplus accruing from such sale to the owner or other person entitled thereto on demand made within twelve months from the date of sale. If no such demand is made, such surplus shall be deposited with the Government or authority specified by them.

(2) Any expenses referred to in sub-section (1), if not satisfied out of the sale proceeds of the materials of any building referred to in that sub-section, may be recovered by the prescribed authority from the owner of the building or any other person having an interest therein as arrears of land revenue.

62. Penalties. - (1) Any person who -

(a) commences or causes to be commenced any work in contravention of any restriction or condition imposed under section 14 or of any plan for the re-development of a slum clearance area; or

(b) contravenes or fails to comply with any other provision of this Act or of any rule made thereunder or of any notice, order or direction issued 1[in pursuance of any of the provisions of this Act or the rules made there under] shall be punishable for the first offence with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees, or with both and for a second or any subsequent offence with imprisonment for a term which may extend to one thousand rupees, or with both and for a second or any subsequent offence with imprisonment for a term which may extend to six months or with fine which may extend to two thousand rupees, or with both.

(2) Any person who obstructs any person authorised 1[under any of the provisions of this Act or the rules made thereunder] to enter into or upon any land or building or molests such person after such entry shall be punishable with fine which may extend to one thousand rupees.

63. Offences by companies. - (1) If the person committing an offence under this Act is a company, every person, who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence, and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge, or that he exercised all due diligence to prevent the commission of the offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation - For the purpose of this section -

(a) 'Company' means a body corporate and includes a firm or other association of individuals; and

(b) 'director' in relation to a firm means a partner in the firm.

64. Prosecution and trial of offence. - (1) No prosecution for any offence punishable under this Act shall be instituted except with the previous sanction of the prescribed authority.

(2) No Court inferior to that of a salaried presidency magistrate or a salaried magistrate of the first class shall try any offence punishable under this Act.

65. Bar of jurisdiction of civil courts. - Save as otherwise expressly provided in this Act, no civil court shall have jurisdiction in respect of any matter which the Government are, or the prescribed authority is, empowered by or under this Act, to determine and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

NOTES

Allottee filing a suit for declaration that he is not liable for eviction when appeal pending against cancelling allotment. Civil Court have no jurisdiction to entertain suit if the allotment is cancelled by the Slum Clearance Board under statutory power and especially when the matter is pending on appeal before the court under the Act.

1996(1) MLJ 347.

66. Prescribed authority, etc. to be public servants. - The prescribed authority and any person authorised by it under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

67. Protection of action taken in good faith. - (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith, done or intended to be done in pursuance of this Act or of any rule or order made thereunder.

(2) No suit or other legal proceeding shall lie against the Government or the prescribed authority or any authority or officer subordinate to the Government or the prescribed authority for any damage caused or likely to be caused by anything which is, in good faith, done or intended to be done in pursuance of this Act or any rule or order made thereunder.

68. Delegation of powers of Government. - (1) The Government by notification, may authorise any authority or officer to exercise any of the powers vested in them of

this Act (except the power to acquire land under 1[sub-section (1) of section 17] and the power to make rules under section 70) and may in like manner withdraw such authority.

(2) The exercise of any power delegated under sub-section (1) shall be subject to such restrictions and conditions as may be prescribed or as may be specified in the notification and also to control and revision by the Government or by such officer as may be empowered by the Government in this behalf. The Government shall also have power to control and revise the acts or proceedings of any officer so empowered.

69. Act to override other law. - The provisions of this Act and the rules made there under shall have effect notwithstanding anything inconsistent therewith contained in any law for the time being in force, or any custom, usage or contract or decree or order of a Court or other authority.

70. Power to make rules. - (1) The Government may make rules [whether prospectively or retrospectively] for carrying out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for or regulate -

(a) all matters expressly required or allowed by this Act to be prescribed;

(b) the fees payable in respect of any application or statement under this act;

(c) the manner of authentication of notices, orders and other instruments of the prescribed authority; and

(d) the preparation of plans for the development of any slum area or slum clearance area and matters to be included in such plans.

NOTES

1. Inserted by the Amendment and Validation Act 1999.

Act 22 of 1999.

Tamil Nadu Slum Areas (Improvement and Clearance) Amendment and Validation Act 1999 - Act 22 of 1999

Published in Tamil Nadu Government Gazette Extraordinary, Issue No. No. 491, June 17-1999

71. Application of the Act to certain pending cases of acquisition. - (1) The provisions of this Act shall apply also to any case or cases in which proceedings have been started before the commencement of this Act for the acquisition of any land in a

slum area under the Land Acquisition Act, 1894 (Central Act I of 1894) (hereinafter in this section referred to as the said Act), but no award has been made by the Collector under section II of the said Act before such commencement, as if -

(i) the notification published under sub-section (1) of section 4 of the said Act, or

(ii) the declaration made under section 6 of the said Act,

(iii) the notice given under sub-section (1) of section 9 of the said Act,

were a notice to show cause against the acquisition of the land served by the Government under the provision to section 17 of this Act.

(2) Nothing contained in sub-section (1) shall apply in relation to any land unless and until after the Government have published a notice in the Tamil Nadu Government Gazette to the effect that the said land is required for any of the purposes specified in section 17 of this Act.

72. Publication of the rules, the date of the commencement of the rules and notifications and placing of rules and notifications on the table of the Legislature.

-

(1) (a) All rules made under this Act shall be published in the Tamil Nadu Government Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

(2) Every rule made or notification issued under this Act shall, as soon as possible after it is made or issued, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session, both Houses agree in making any modification in any such rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

73. Repeal of Tamil Nadu Act XI of 1954. - The Tamil Nadu Slum Improvement (Acquisition of Land) Act, 1954 (Tamil Nadu Act XI of 1954), is hereby repealed.

74. Repeal of Tamil Nadu Ordinance 1 of 1971. - (1) The Tamil Nadu Slum Areas (Improvement and Clearance) Ordinance, 1971 (Tamil Nadu Ordinance 1 of 1971) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance including any orders passed, notifications issued, rules, regulations and appointments made shall in so far as they are not inconsistent with this Act be deemed to have been done or taken under this act and shall continue in force accordingly, unless and until superseded by anything done or any action taken under this Act.¹

2. THE TAMIL NADU SLUM AREAS (IMPROVEMENT AND CLEARANCE)

RULES, 1971¹

[G.O. MS. No. 1614, Labour (Housing), 10th December 1971]

S.R.O. No. A-1104 of 1971 - In exercise of the powers conferred by section 70 of the Tamil Nadu Slum Areas [Improvement and Clearance] Act, 1971 (Tamil Nadu Act XI of 1971), the Governor of Tamil Nadu makes the following rules :-

RULES

1. Short title. - These rules may be called the Tamil Nadu Slum Areas (Improvement and Clearance) Rules, 1971.

2. Definitions. - In these rules -

(a) "Act" means the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (The Tamil Nadu Act XI of 1971).

(b) "Form" means a form appended to these rules.

(c) "Prescribed authority" referred to in the Act in Chapters III, IV, V, VII, IX of the Act shall be the Chairman, Tamil Nadu Slum Clearance Board, appointed under subsection (2) of section 35 of the Act.

(d) "Prescribed authority" referred to in Chapter VI of the Act shall be the Collector of the district or any officer of the district authorised by the Government to perform the functions of the prescribed authority under the said chapter.

3. Form and time for registration of building. - (i) Every statement to be filled under clause (a) of sub-section (1) of section 4 of the Act shall be signed by the owner or occupier of the building in any slum area and shall be in the Form appended to these rules-vide Appendix 'A'.

(ii) The said statement shall be sent within a month from the date of notification of the slum area under sub-section (1) of section 3 of the Act.

(iii) The register referred to in sub-section (2) of section 4 of the Act shall contain the particulars as in the Appendix 'A' to these rules and registration certificate to be issued thereon shall be in the Form appended to these rules- vide Appendix 'B'.

(iv) Application for permission to erect building in a slum area under sub-section (1) of section 5 of the Act shall be made to the Chairman, Tamil Nadu Slum Clearance Board in the Form appended to these rules- vide Appendix 'C'.

(v) The notice for execution of works of improvement referred to in sub-section (1) of section 6 of the Act shall be in the Form appended to these rules- vide Appendix 'E'.

4. Notice for demolition of buildings. - (i) The notice for the demolition of building, under sub-section (1) of section 9 of the Act shall be issued by the Chairman, Tamil Nadu Slum Clearance Board, in the form appended to these rules- vide Appendix 'D'.

(ii) The order of demolition referred to in sub-section (3) of section 9 of the Act shall be carried out within the period of 30 days from the date of expiry of the period specified in the said notice.

5. Time for demolition of buildings in a Slum Clearance Area. - (i) The owner of the lands and the buildings in the areas notified by the Government as Slum Clearance Area under sub-section (1) of section 11 of the Act shall clear the area and demolish the buildings before the expiry of thirty days from the date of the said notification -

(ii) The time for appeal to the Government under the proviso to sub-section (1) of section 14 of the Act shall be thirty days from the date of approval of the plan and the conditions attached thereto under sub-section (1) of section 14 of the Act.

6. Determination of compensation - (i) For the purpose of the enquiry referred to in sub-section (2) of the section 20 of the Act, the said authority shall follow the procedure laid down in the Land Acquisition Manual of the Government of Tamil Nadu, as far as possible and applicable.

(i) The period within which an appeal should be made by any person who is aggrieved by the order of determination of compensation by the prescribed authority referred to in section 22 of the Act shall be thirty days from the date of receipt of the said order by that person.

7. Form of application for eviction of tenants and time for appeal. - (i) The application for obtaining previous permission referred to in sub-section (2) of section 29 of the Act shall be made in the Form appended to these vide Appendix 'F'.

(ii) The time within which an appeal shall be preferred to the Government by any person who is aggrieved by an order of the prescribed authority refusing to grant permission under sub-section (4) of section 5 or under sub-section (3) of section 29 of the Act shall be thirty days from the date of receipt of the said order by that person. Any

person aggrieved by an order of refusal by the Tamil Nadu Slum Clearance Board under rule 7 (i) above may appeal to the Government within thirty days from the date of order of the refusal.

(iii) Entry tenant who has vacated any building or is evicted therefrom in pursuance of sub-section (i) of Section 31 of the Act may file a declaration with the Tamil Nadu Slum Clearance Board within the time within which any tenant should file a declaration with the prescribed authority that he desires to be replaced in occupation of the building after completion of improvement or re-erection of the building as the case may be shall be thirty days from the date of vacation or eviction.

(iv) The provisional rent determined in pursuance of sub-section (2) of section 31 of the Act shall be communicated to the tenant by registered post with acknowledgement due.

(v) The tenant shall intimate his acceptance of the said provisional rent to the prescribed authority within 30 days from the date of receipt of the communication to him.

8. Time for appeal under Section 59 (1) of the Act. - The time within which an appeal should be made to Government by any person aggrieved by any notice, order or direction issued by the prescribed authority shall be thirty days from the date of the receipt of the said notice, order or direction by that person.

APPENDIX "A"

FORM OF THE STATEMENT TO BE FILLED BY THE OWNER OR OCCUPIER OF THE BUILDING IN ANY SLUM AREA

(Under Section 4 (1) of the Act)

1. Name (In Block Letters)
2. Father or Husband's name
3. Age
4. Number of members of the family -
Name. Relationship to applicant
(1)
(2)
(3)
(4)
(5)
5. Occupation and monthly income. Rs.
6. Brief description of the building -
 - (i) Name Slum Area (also give corporation No.)
 - (ii) Patta and R.S. No.
 - (iii) Length, Breadth and Height of the Building
 - (iv) Nature of the roof of the building
 - (v) Materials used for construction

of the walls, if any.

7. If the applicant himself is not owner of the land in which the building is located -
- (i) Name and address of the owner of the land
 - (ii) Brief particulars of the terms and conditions under which the applicant occupies the building on the land.

WITNESSES - Signature of the Applicant

(Signature with the name and address):

1.

2.

APPENDIX "B"

FORM OF REGISTRATION CERTIFICATE

(Under Section 4 (1) of the Act).

To,

The statement filed by you in pursuance of section 4 (1) of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 in respect of the building in declared to be a "Slum Area" under section 3 (1) of the Act has been registered in the Register under section 4 (2) of the Act.

*Signature of the
Prescribed Authority*

APPENDIX "B"

FORM OF REGISTRATION CERTIFICATE

(Under Section 4 (1) of the Act).

To,

The Chairman,
Slum Clearance Board,
Nandanam,
Madras - 600 035.

Sir,

I beg to give you notice that I intend to erect building in Division and in accordance with the provisions of Section 5(3) of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971.
I forward herewith in triplicate -

(a) Site plan of the land for your approval, and

(b) a ground plan, elevations and sections of the proposed building and a specification of the work.

I request that the site plan and the building plan may be approved and that permission may be accorded to execute the said work.

Signature of the licensed Surveyor :	Signature of the owner or Applicant
Name in Block Letters	Name in Block Letters.
Address.	Address.

QUESTIONNAIRE

TO BE COMPLETED BY THE APPLICANT & THE LICENSED SURVEYOR WHO SIGNS THE BUILDING APPLICATION

TO BE ENCLOSED ALONG WITH THE BUILDING APPLICATION.

- | Particulars | Say 'Yes' or 'No' |
|--|-------------------|
| 1. Whether three copies of the plans duly signed by the applicant are enclosed. | |
| 2. Whether detailed and clear site plan enclosed. | |
| 3. Whether patta and R.S. No. of the plot are enclosed. | |
| 4. Whether the signature of the licensed Surveyor approved by the Slum Clearance Board were obtained in the case where the proposed construction involves RCC work RSJ columns girders etc. | |
| 5. Whether a sanctioned lay-out or sub-division plan enclosed or previous sanction B.A. No. or sanctioned, plan, if any, furnished. | |
| 6. In the case of the lease lands whether 'No Objection certificate' from the owner of the land is enclosed. | |
| 7. In case of site allotted by the S.H.B. whether a 'No Objection Certificate' from the state housing board is enclosed. | |
| 8. In case of construction of storage of combustible articles whether a 'No Objection Certificate' from Explosive Inspector is enclosed. | |
| 9. In case High Tension wires passing close to the proposed construction whether a 'No Objection Certificate' from the electricity Board is enclosed. | |
| Particulars | Say 'Yes' or 'No' |
| 10. In case of construction for public resort, viz., Community Centre, Place of worship, multistoreyed buildings, huge lodges and hotels whether a 'No Objection Certificate' from the Commissioner of Police is enclosed. | |

11. In case of corner plot, whether space is provided at the junction of roads.

IN CASE OF CONSTRUCTIONS IN TOWN - PLANNING AREA THE FOLLOWING QUESTIONNAIRE ALSO TO BE FILLED UP

Particulars	Say 'Yes' or 'No'
1. Whether open space has been left as per particulars given below:- 1. Open space to be left Frontside Rear: - (a) Front road and width 20 feet below 5 feet either side 10 feet 5 feet on 15 feet, 15 feet 10 feet on 15 feet on either side. (b) On 20 feet upto 40 feet (c) Above 40 feet	
2. Whether the plot is not less than half ground in poor class areas and not less than 1 1/2 ground in other areas?	
3. Whether the height of the construction in rear does not exceed 2 feet from the ground level?	
4. Whether any of the following have been proposed within 1/3 rear width of the plot; Ash pit, Carage Cowshed?	
5. Whether more than one family is proposed in one plot?	
6. Whether the width of the road is furnished?	
7. Whether any shops have been proposed in residential areas which involve usage of electric motors licensable trades?	
8. Whether shop-cum-residence is proposed?	

Signature of the Party

THE QUESTIONNAIRE TO BE FILLED BY THE LICENSED SURVEYOR.

Particulars	Say 'Yes' or 'No'
1. In multi-storeyed buildings whether provision of sanitary amenities such as water supply, drainage, dust bin, overhead tank with pump and pump room connections have been made in the plans.	
2. In multi-storeyed buidings whether load calculations with design particulars are furnished.	
3. Whether car parking spaces have been provided for buildings more than three storeyed ?	

4. Whether dimensions are marked clearly giving particulars regarding purpose of rooms, shops and godowns, etc., with colour indications given in the plans?
5. Whether balconies and sunshades encroaching on roadside are shown. If so, delete the same and submit separate application supported with calculations for the stability of the structure?
6. Whether the building rules given in the Application has been gone through and the plans drawn confine to Rules and Regulations?

*Signature of the
Licensed Surveyor.*

APPENDIX "D"

NOTICE UNDER SECTION 9 (1) OF THE TAMIL NADU SLUM AREAS (IMPROVEMENT AND CLEARANCE) ACT, 1971.

To,

Whereas I, the prescribed authority, am satisfied upon report from other information in my possession, that the buildings in declare to be "Slum Area" under section 3(1) of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971, is/are unfit for human habitation and is/are not capable at a reasonable expense of being rendered so fit.

Now, therefore in pursuance of the powers conferred upon me under section 9(1) of the land Act. I hereby call upon you, an owner, lessee or mortgagee or any other person having an interest in the buildings to show cause within 15 days of the receipt of this notice as to why an order for demolition of the building should not be made.

Prescribed Authority

Note : - The items not required should be struck out.

APPENDIX "E"

NOTICE UNDER 6 (1) OF THE TAMIL NADU SLUM AREAS (IMPROVEMENT AND CLEARANCE) ACT, 1971

To,

Whereas I, the prescribed authority, am satisfied upon report from other information in my possession, that the buildings in declared to be a "Slum Area" under Section 3(1) of the Tamil Nadu Slum Areas

(Improvement and Clearance) Act, 1971 is/are unfit for human habitation in the following respects :-

- 1.
- 2.
- 3.
- 4.

Now, therefore, in pursuance of the powers conferred upon me under sub-section (1) of section 67 of the said Act, I hereby require you, owners of the buildings to execute the works of improvement mentioned in the schedule below within 60 days of the receipt of this notice, as in my opinion these works will render the buildings fit for human habitation.

In case you fail to comply with this notice, I shall get these works executed under section 7 of the said Act and all expenses so incurred together with interest at the rate of per cent per annum from the date of demand shall be recovered from you as arrears of land revenue.

Prescribed Authority.

SCHEDULE

Note : - The items not required should be struck out

APPENDIX "F"

FORM OF APPLICATION FOR PERMISSION TO TAKE LEGAL
ACTION TO EVICT A TENANT U/S 29 (2) OF THE TAMIL NADU SLUM AREAS (IMPROVEMENT
& CLEARANCE) ACT, 1971.

(Vide rule 7)

1. Name of the applicant
2. Full postal Address
3. Discription of the building for which
permission is sought -
 - (i) Door No.
 - (ii) Monthly rent payable Rs.
 - (iii) Other items if any
4. Terms of the tenancy
 - (i) Period of Tenancy
 - (ii) Monthly rent payable Rs.
 - (iii) Other items if any
5. Reason for eviction -

- (i) Whether for default of rent?
- (ii) Whether the building is required for owners occupation?
- (iii) Whether infringement of conditions of tenancy is involved?
- (iv) Other reasons if any in detail

*Signature of
the Applicant*

3. THE TAMIL NADU SLUM AREAS (CONSTITUTION) RULES 1971

[G.O.Ms. No.1138, Labour (Housing), 7th Sep. 1971]

S.R.O. No. A-950 of 1971 - In exercise of the powers conferred by sections 35 and 70 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act. 1971 (Tamil Nadu Act XI of 1971), the Governor of Tamil Nadu hereby makes the following rules:-

RULES

¹[1. **Short Title.** - These rules may be called the Tamil Nadu Slum Clearance Board (Constitution) Rule, 1971.]

²[2]. **Members of the Board** - The Board shall besides the chairman, consist of the following members, namely: -

- (a) five non-official members appointed by the Government.
- (b) the Secretary to Government, Labour Department, ex-officio;
- (c) the Secretary to Government, Health and Family Planning Department, ex-officio;
- (d) The Secretary to Government, Revenue Department, ex-officio;
- (e) The Secretary to Government, Rural Development and Local Administration Department, ex-officio;
- (f) The Secretary to Government, Social Welfare Department, ex-officio;
- (g) The Secretary to Government, Finance Department or an officer of the Finance Department nominated by the Secretary to Government, Finance Department, ex-officio;
- (h) The Chairman, Tamil Nadu Housing Board, Madras, ex-officio;

(i) the Mayor of Madras or the Commissioner, Corporation of Madras, ex-officio;

(j) Director of Town Planning, Madras, ex-officio;

(3) **Appointment of Chairman and members to be notified.** - The appointment of the Chairman and the non-official members shall be notified in the Tamil Nadu Government Gazette.

[G.O. Ms. No. 359, Housing and Urban Development [SC 3(1) 20th March 1995]

No. SRO A-20/95. - In exercise of the powers conferred by section 70 of the Tamil Nadu Slum Areas (Importance and Clearance) Act 1971 (Tamil Nadu Act 11 of 1971 read with section 35 of the said Act and in supersession of the rules issued with the Labour Department notification No. SRO A-951 of 1971, dated the 7th September 1971 published at pages 980-982 of Part V of the Tamil Nadu Government Gazette, dated 10th November 1971, as subsequently amended, the Governor of Tamil Nadu hereby makes the following rules: -

RULES

1. Short Title.- These rules may be called the Tamil Nadu Slum Clearance Board (Constitution) Rules 1994.

2. Number of members of the Board. - The number of members of the Board including the chairman shall not exceed fifteen.

RULES

These Rules may be called **The Tamil Nadu Slum Clearance Board condition of service of Members Rules, 1971.**

1. Chairman to be a Honorary Officer. - (1) the Chairman shall be a Honorary Officer of the Board if a non-official person is appointed or the Chairman shall be a whole-time officer of the Board, if an officer of the State Government is appointed as the Chairman. If he is an official, shall not undertake any work unconnected with his office without the sanction of the Government.

(2) A Chairman, if he is a non-official, shall be paid ¹[at Rs.500/- per mensem and also given other facilities. If an officer of the Government is appointed as Chairman, he shall be paid such salary and allowances as may fixed by the Government.]

2. Leave of absence for the Chairman and appointment of an acting Chairman. - (1) The Government may from time to time, grant to the Chairman leave of absence from the duties of the Chairman.

(2) Whenever there is a temporary vacancy in the office of the Chairman, the Government may appoint a person to act as Chairman during the period of such vacancy and shall pay to such person such honorarium or salary and allowances as may be fixed by them. The person so appointed shall be deemed to be the Chairman, for all purposes of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971.

3. Removal of the Chairman and other non-official Member. - (1) If at any time it appears to the Government that the chairman has shown himself to be unsuitable for his office or has been guilty of any misconduct or neglect which renders his removal expedient, they may, by notification, remove the Chairman from office.

(2) The Government may, by notification, remove any non-official member from the office -

(a) if he has, without the permission of the board, been absent from the meetings of the Board for any period exceeding three consecutive month; or

(b) if he has been absent from the meetings of the Board for any period exceeding that permitted under sub-rule (1) of Rule 4; or

(c) if he, being a legal practitioner acts or appears on behalf of any person other than Board in any civil, criminal or other legal proceedings in which the Board is interested, either as a party or otherwise; or

(d) if he, in the opinion of the Government is unsuitable or has become incapable of acting as a member or has so abused his position as a member as to render his continuance as such member detrimental to the public interest.

(3) A non-official member removed under any of the provisions of clauses (a) to (c) of sub-rule (2) shall be disqualified for appointment as a member of a period of three years from the date of his removal unless otherwise ordered by the Government.

(4) A non-official member removed under clause (d) of sub-rule (2) shall not be eligible for re-appointment until he is declared by an order of the Government to be no longer ineligible.

4. Filling of casual Vacancies. - (1) The Board may permit any non-official member to absent himself from its meetings for a period not exceeding six months.

(2) The casual vacancy in the office of a member who is permitted to be absent under sub-rule (1) may be filled by the Government and any person appointed to fill such vacancy shall enter upon office forthwith but shall hold office only so long as the vacancy lasts."

Provided that the person so appointed is eligible for being appointed as a member to the office of the absent-member in accordance with the provisions of rule (1) and is not disqualified under rule 6.

5. Term of office of the Chairman and non-official members. - (1) ¹[The Term of office of the chairman and non-official members shall be 3 years or such shorter period as the Government may fix;]

Provided that the Chairman or a member of the Board shall, notwithstanding the expiry of said period of one year, continue to hold office until the appointment of his successor is notified by the Government.

(2) The Chairman and the non-official members shall be eligible for re-appointment.

(3) Any non-official member including Chairman if he is a non-official may resign his office by giving notice in writing to the Government but he shall continue in office until his resignation is accepted by the Government.

6. Disqualification for appointment as a member of the Board. - (1) A person shall be disqualified for being appointed as and for being a member of the Board, if he -

(a) has been convicted by a criminal court for an offence involving moral turpitude, unless such convictions has been set aside;

(b) is an undischarged insolvent;

(c) is of unsound mind;

(d) is an officer or servant under the Board.

(e) has directly or indirectly, by himself or by any partner, employer or employee, any share or interest in any contract or employment with, by or on behalf of the Board; or

(f) is a Director or a Secretary, Manager or other officer of any incorporated company which has any share or interest in any contract or employment with, by or on behalf of the Board.

(2) A person shall not however, be disqualified under clause (e) or clause (f) of sub-rule (1) or be deemed to have any share or interest in any contract or employment within the meaning of those classes, by reason only of his or the incorporated company of which he is a Director, Secretary, Manager, or other officer, having share or interest in -

(i) any sale, purchases, lease or exchange of immovable property or any agreement for the same;

(ii) any agreement for the loan of money or any security for the payment of money only;

(iii) the occasional sale of the Board, to a value not exceeding two thousand rupees in any one year, of any article in which he or the incorporated company regularly trades.

(3) A person shall not also be disqualified under clause (e) or clause (f) of sub-rule (1) or be deemed to have any share or interest in any incorporated company which has any share or interest in any contract or employment with, by or on behalf of the Board, by reason only of his being a shareholder of such company;

Provided that such person discloses to the Government the nature and extent of the shares held by him.

Explanation. - For the purpose of clause (d) of sub-rule (1) the Chairman shall not be deemed to be an officer or servant under the Board.

7. Temporary association of persons with the Board for particular purposes.

- (1) The Board may associate with itself in such manner and for such purposes as may be prescribed by regulations, any person whose assistance or advice it may desire for the purpose of carrying into effect any of the provisions of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971;

Provided that the number of persons so associated shall not be more than five.

(2) A person associated with the Board under sub-rule (1) for any purpose shall have the right to take part in the discussions of the Board relevant to that purpose, but shall not have the right to vote and shall not be named as a member for any other purpose.

(3) The Government may, by order, depute one or more officers of the Government to attend any meeting of the Board and to take part in the discussions of the Board, but such officer or officers shall not have the right to vote.

8. Members of the Board or persons associated with the Board not to take part in proceedings in which they are personally interested. - (1) A member or a person associated with the Board who -

(a) has directly or indirectly by himself or by any partner employer, or employee, any such share or interest in any contract or employment with, by or on behalf of the Board; or

(b) has acted professionally, in relation to any matter on behalf of any person having therein any such share or interest as aforesaid, shall not vote or take part in any proceedings of the Board relating to such matter.

(2) If any member or any person associated with the Board has directly or indirectly any beneficial interest in any land situated in an area comprised in any housing or improvement scheme framed under this Act or in any area in which it is proposed to acquire land for any of the purposes of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1970 -

(i) he shall at a meeting relating to such area of the Board inform the person presiding of the nature of such interest, and

(ii) he shall not take part in any proceedings relating to such area at a meeting of the Board.

(3) Nothing in sub-rule (2) shall prevent any member of, or any person associated with the Board from voting on, or taking part in the discussion of any resolution or question relating to any subject other than a subject referred to in that sub-rule.

4. TAMIL NADU SLUM CLEARANCE BOARD OFFICERS' AND ¹[EMPLOYEES'] CONDUCT RULES, 1981

[G.O. Ms, No. 253, Housing and Urban Development, dated 10th April 1981,]

No SRO A-192/81. - In exercise of the powers conferred by sub-section (1) of sections 38 and section 70 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act II of 1971), the Governor of Tamil Nadu hereby makes the following rules: -

RULES

1. Short title and commencement. - (1) These rules may be called the Tamil Nadu Slum Clearance Board Officers and ¹[Employees'] Conduct Rules, 1981.

(2) These rules shall apply to all officers and ¹[employees'] of the Board:

Provided that this rule shall not apply to those appointed on deputation from the Central Government or State Governments or of a local authority, who are subject to the

relevant Conduct Rules framed by the Central Government, State Governments and local authorities respectively whether on duty, leave or on foreign service.

2. Definitions. - In these rules, unless the context otherwise requires. -

(i) "Chairman" means the Chairman of the Board appointed by the Government under section 35 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act 1971 (Tamil Nadu Act 11 of 1971).

(ii) "Close relations" in relation to an officer or 1[employee] include Father, Step-father, Mother, Step-Mother, Husband, Wife, Son, Adopted Son, Daughter, Adopted daughter, Brother, Step-brother, Sister, Step-Sister, Wife's father, Wife's mother, Husband's father, Husband's mother, Brother's Wife, Sister's husband, daughter's husband and son's wife;

(iii) "members of family" in relation to an officer or 1[Employee] includes -

(a) the wife, child or step-child of such officer or 1[employee], whether residing with him or not and in a relation to the officer or 1[employee], who is a woman, the husband residing with her and dependant on her; and

(b) any other person related, whether by good or by marriage to the officer or 1[employee], or to such officer's or 1[employee's], wife or husband and wholly dependant on such officer or 1[employee], but do not include a wife or husband legally separated from the officer or 1[employee], or a child or step child, who is no longer in any way depended upon him or her, or of whose custody the officer or 1[employee] has been deprived of by law;

(iv) "officer of 1[Employee]" means an officer or 1[employee] of the Tamil Nadu Slum Clearance Board or in any of its Units but does not include an officer or 1[employee] of the Central or State Governments or of a local authority whose services have been lent to the board;

(v) "Secretary" means the Secretary to the Board appointed by the Government under section 37 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act 11 of 1971).

3. Gifts. - (1) Save as otherwise provided in these rules, no officer or 1[employee] shall, except with the previous sanction of the Chairman accept or permit his wife, or any other member of his family to accept from any person any gift :

Provided that the sanction of the Chairman shall not be necessary for the acceptance of -

(a) gifts from a person other than a personal friend or relative of a value not exceeding Rs.50 (Rupees fifty only) or 1/4 (one-fourth) of the monthly emoluments of the officer or 1[employee] concerned, whichever is less, on occasions other than those covered by sub-clause (b);

(b) gifts from a personal friend of a value not exceeding Rs.200/- (Rupees two hundred only) on special occasions such as weddings, anniversaries, funerals and religious functions when the making or receiving of such gifts is in conformity with the prevailing religious or social customs.

(c) gifts from 1[close relations] without any monetary limit regarding their value on special occasions such as weddings, anniversaries, funerals and religious functions when the making or receiving of such gifts is in conformity with the prevailing religious or social customs;

Explanations I. - For the purposes of this sub-rule, any trowel, key or other similar articles offered to an officer or 1[employee] at the laying of a foundation stone or the opening of a public building or any ceremonial function shall be deemed to be a gift.

Explanations II. - The expression 'gift' shall include free transport, boarding, lodging or other service or any other pecuniary advantage when provided by any person other than a close relation or personal friend having no official dealings with the officer or 1[employee].

Explanations III. - A casual meal, life or other social hospitality shall not be deemed to be a gift.

Explanation IV. - An officer or 1[employee] shall avoid accepting lavish hospitality or frequent hospitality from any individual having official dealings with him or from industrial or commercial firms, organizations, etc.

(2) If any question arises whether any gift is one which can be accepted without the permission of the Chairman or if an officer or 1[employee] of the Board is in any doubt whether a gift offered to him is one which can be accepted without the permission of the Chairman, a reference shall be made to the Board by such officer 1[employee] and the decision of the Board thereon shall be final.

(3) Nothing in this rule shall be deemed to prevent any officer or 1[employee] or the Board from sitting on the request of any public body, for a portrait, bust or statue not intended for presentation to him.

4. **Dowry Prohibited.** - No officer or 1[employee] shall -

(i) give or take or abet the giving or taking of dowry, or

(ii) demand directly or indirectly from the parents or guardian of a bride or bridegroom as the case may be, any dowry.

Explanation. - For the purpose of this rule, 'dowry' has the same meaning as in the Dowry Prohibition Act 1961 (Central Act 28 of 1961).

5. **Public demonstrations in honour of officers and 1[employees].** - No officer 1[employee] shall except with the previous sanction of the Chairman, receive any complimentary or valedictory address or accept any testimonial or attend any meeting or entertainment held in his honour or any other officer or 1[employee];

Provided that nothing in this rule shall apply to -

(i) a farewell entertainment of a substantially private and informed character held in honour of an officer of 1[employee] or any other officer of 1[employee] on the occasion of his retirement or transfer or any person who has recently quitted the service of the Board or of any of its units, or

(ii) the acceptance of simple and inexpensive entertainment arranged by public bodies or institutions, or

(iii) the sitting for or acceptance of a copy of a group photograph of the officers or the 1[employee] of the board or of any of its units, on the occasion of his transfer or retirement.

6. **Subscriptions.** - (1) No officer of 1[employee] shall except with the previous sanction of the Chairman or of such authority as may be empowered by him in this behalf, ask for or accept contribution to, or otherwise associate himself with the raising of any fund in pursuance of any object whatsoever.

(2) Permission may, after due consideration be accorded in all cases where the board supports the institution concerned by way of grants or otherwise.

(3) In the case of official Flag Day Collections authorised by Government, officers or 1[employees] may participate on a voluntary basis.

(4) No officer or ¹[employee] shall serve as a member of a committee of any religious institution or collect subscriptions therefore without the previous permission of the Chairman.

7. Investments, lending and borrowings. - (1) No officer or ¹[employee] shall speculate in any stock, share or other investment.

Explanation. - The habitual purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.

(2) No officer or ¹[employee] shall make or permit any other member of his family, to make any investment likely to embarrass or influence him in the discharge of his official duties.

(3) If any question arises whether an investment is of the nature referred to in sub-rule (1) or sub-rule (2) the decision of the Board thereon shall be final.

(4) No officer of ¹[employee] shall, except with the previous sanction of the Chairman lend money to any person possessing land or valuable property within the local limits of his authority, or at interest to any person:

Provided that an officer or ¹[employee] may make an advance of pay to a private ¹[employee] or give a loan of a small amount free of interest to a personal friend or relative even if such person possesses land or valuable property within the local limit of his authority.

(5) No officer of ¹[employee] shall, save in the ordinary course of business with a bank or a firm of standing borrow money from, or otherwise place himself under pecuniary obligation to any person within the local limits of his authority, or any other persons with whom he is likely to have official dealings nor shall permit any member of his family, except with the previous sanction of the Chairman to enter into any such transaction:

Provided that an officer or a ¹[employee] may accept a purely temporary loan of small amount, free of interest from a personal friend or relative or operate a credit account with a bonafide tradesman.

(6) The prohibition against lending and borrowing of money applies to all loans, credits, advances, supply of articles or accommodation at unduly low rates, or for insufficient consideration and to sales of property for inordinately low prices.

(7) The fact that an officer or ¹[employee] lending money is acting as an executor, administrator, or as a trustee without the profit or advantage to himself shall not exempt him from the operation of this rule.

(8) Nothing in this rule shall apply to an officer or ¹[employee] who belongs to a joint Hindu Family carrying on the business of money lending as an ancestral profession:

Provided that he takes on active part in the business and is not employed in a district in which the business of the joint Hindu Family is carried on.

8. Movable, Immovable and valuable property. - ¹[(1) No officer or employee shall, except after notice to the Chairman acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift, exchange or otherwise either in his own name or in the name of any member of the family :

Such notice will be necessary even where any immovable property is acquired by any member of the family of the Officer or Employee out of the resources of the Officer or Employees:

Provided that the previous sanction of the Chairman shall be obtained, if any such transaction is with a person having official dealing with the Board.

Provided further that the previous sanction of the Chairman shall not be necessary for the acquisition of immovable property in respect of a house-site assigned by the Government to the Officer or Employee.

(2) Every Officer or Employee, for the construction or extension or acquisition of a house, shall report to the Chairman in the following manner: -

(i) before starting the construction or extension or catering into transaction for acquisition of a house either from out of loan or advance from the Board or others or part-final withdrawal from the Provident Fund, he shall obtain the previous sanction, in form C or form C-1, as the case may be in the Schedule appended to these rules.

(ii) After completing the construction or extension, he shall report, in form D, in the Schedule, appended to these rules;

The details in Forms C, CI and D in the Schedule, appended to these rules, shall be furnished, wherever it is possible to do so. Where, however, it is not possible to furnish the details, the officer or employee shall mention the covered area on which the building is erected and the estimated cost of the building;

(iii) Every Officer or Employee shall, if he is a member of the Hindu Undivided Family and if the share of the officer or Employee in the cost of repairs made to the undivided property of the joint family out of the joint family funds exceeds of Rs.5,000 (Rupees five thousand), he shall intimate the fact as and when such repairs are brought to his notice; and

(iv) No Officer or Employee shall encroach upon Government lands.

(2-A) the Chairman shall dispose of the application seeking the sanction referred to in sub-rules (1) and (2) within a period of six months from the date of receipt of such application from the officer or Employee. If any clarifications or particulars are sought for from the Officer or Employee, the said period of six months shall be reckoned from the date of receipt of such clarifications or particulars. Where no order according such sanction is issued within the said period of six months, it shall be deemed that the Chairman has accorded the sanction on the expiry of the said-period of six-months and the officer or Employee shall acquire or dispose of the immovable property or commence the construction or extension or acquisition of the house.

(3) Can acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift, exchange or otherwise either in his own name or in the name of any members of his family;

Provided the previous sanction of the Chairman shall be obtained if any such transaction is with a person having official dealings with the Board;

Provided further that an Officer or Employee, who is about to quit the local limits of his official authority may without reference to the Chairman dispose of any of his movable property by circulating lists of it among the public generally or by causing it to be sold by public auction.

Explanation. - For the purpose of this sub-rule, the expression "movable property" includes the following properties namely: -

(a) Jewellery, Insurance Policies, Shares, Services or Debentures;

(b) Motor Cars, Motor Cycles, Horses or any other means of conveyance and

(c) Refrigerators, Colour Televisions or Video Casette Recorders.

(4) Every officer or [Employee] shall on his first appointment under the Board and thereafter at intervals of every twelve months submit a return appended to these rules of all immovable properties owned, acquired or inherited by him or held by him on lease or

mortgage either in his own name or in the name of any other member of his family or in the name of any other person.

(5) The Board or any authority or officer empowered by them in this behalf may, at any time, by general or special order, require an officer or {employee) to submit, within a period specified in the order a full and complete statement of such movable or immovable property held or acquired by him or by any member of his family as may be specified in the order. Such statement shall if so required by the Board or by the authority or officer so empowered include details of the means by which or the sources from which, such property was acquired:

Provided that the Board or any authority or officer empowered by them may exercise the power to call for the property statement under. the sub-rule when a specific vigilance enquiry calls for it.

(6) Whenever an Officer or ¹[employee] by inheritance, succession or bequest becomes possessed of Immovable property in the district in which he is employed or of such immovable property as is contemplated by these rules, he shall communicate all particulars thereof through the usual channel to the Chairman.

(7) If an officer or ¹[employee] receives an order of transfer to a district in which he possesses or has any interest in immovable property he shall at once bring the fact to the notice of the Chairman.

(8) The Board shall, maintain a register in Form 'B' appended to these rules showing all immovable property held by all officers and ¹[employees] with particulars furnished under sub-rule (4). In the case of every officer or ¹[employee] a statement in the Form aforesaid, which shall be revised every year with reference to the particulars furnished, in the annual return, shall be attached to his service register, every entry or alteration in such statement attached to the service register being duly attested by the Chairman or the Secretary as the case may be.

(9) Any attempt to mislead and any failure to give full and correct information, shall render the officer or ¹[employee] liable to dismissal from the service of the Board.

(10) The restrictions on the acquisition and possession of immovable property shall apply to the acquisition and possession of any personal interest in such property and to the acquisition and possession of such property by an officer or ¹[employee] in the name of any other person, but not to the acquisition or possession of an interest as trustee, executor or administrator only.

(11) Annual return shall include all immovable property acquired or registered in the name of the officer or ¹[employee] either on his own account or as a trustee, executor or administrator, or temple mirasdar or acquired or registered in the name of, or held or managed by his wife or by any other member of his family living with, or in any way dependent on him. In case of an officer or [employee] who follows the Marumakkathayan or Aliyasanthana Law, the statement shall include acquisition of immovable property by his consort.

9. Promotion and management of companies:- (1) No officer or (employee) shall except with the previous sanction of Charman take part in the promotion registration or management of any bank or company registered under the Banking Companies Act 1949 (Central Act X of 1949) or the Indian Companies Act 1913 (Central Act VII of 1913) or Companies Act 1956 (Central Act 1 of 1956) or any other law for the time being in force.

Provided that an officer or (employee) may in accordance with the provisions of any general or special order of the Board take part in the promotion registration or management of a co-operative society registered or deemed to be registered under any law with respect to co-operative societies for the time being in force.

(2) No officer or (employee) shall accept a paid employment in any company, mutual benefit society or co-operative society or act as an agent whether paid by salary or commission of any insurance company or society;

Provided that an officer or (employee) may without accepting any remuneration take part in the management of a mutual benefit society if he has first obtained the sanction of the Chairman and a certificate to the effect that the work undertaken can be performed without detriment to his official duties.

(3) Officers and ¹[employee] shall be at liberty to take a part in the promotion of cooperative societies but no officer or ¹[employee] shall except with the previous sanction of the chairman hold office in any co-operative Society or serve on any committee appointed for the management of its affairs unless the society is composed wholly of employees of the Board.

10. Insolvency or habitual indebtedness. - (1) An officer or ¹[employee] shall avoid habitual indebtedness. If an officer or ¹[employee] is adjudged or declared insolvent or has incurred debts aggregating to a sum which in ordinary circumstances he could not repay within a period of two years or if a part of his salary is frequently attached for debt or has been continuously so attached for a period of two years or is

attached for a sum which in ordinary circumstances he could not repay within a period of two years he may unless he proves that the insolvency or indebtedness is the result of circumstances which with the exercise of ordinary diligence he could not have foreseen or over which he had no control and has not proceeded from extravagant dissipated habits be presumed to have contravened this rule. An officer or ¹[employee] who applies to be or is adjudged or declared insolvent shall forthwith report his insolvency to the Chairman.

(2) An officer or ¹[employee] who has been removed from service on account of insolvency shall not be eligible for re-employment under the Board or any of its units.

11. Unauthorised communication of information. - No officer or ¹[employee] shall except when generally or specially empowered in that behalf of the Chairman communicate directly or indirectly any documents or information which has come into his possession in the course of his official duties or has been prepared or collected by him in the course of his duties whether from official sources or otherwise to any person or organization of association not authorised to receive the same.

12. Connection with Press, Television or Radio. - (1) No officer or ¹[employee] shall except with the sanction of the Chairman own wholly or in part or conduct or participate in the editing or managing of any newspaper or other periodical publication.

(2) No officer or ¹[employee] shall except with the previous permission of the Chairman contribute any article or publish a book or write any letter either anonymously, pseudonymously or in his own name or in the name of any other person to any newspaper or other periodical publication.

Provided that no such permission shall be required if such contribution or writing is of a purely literary, artistic or scientific character.

(3) No officer or ¹[employee] shall except with the previous permission of the Chairman participate in a television programme or radio broadcast;

Provided that no such permission shall be required if such television programme or radio broadcast is of a purely literary, artistic or scientific character.

(4) An officer or ¹[employee] who is invited or who wishes to participate in a television programme or to deliver a radio broadcast talk and who has to obtain the previous permission under sub-rule (3) shall intimate the Chairman the particulars relating to the television programme or the subject of the radio broadcast talk and of so required shall submit the full material relating to the television programme or the full

text of the radio broadcast talk for their approval before participating in the television programme or before the radio broadcast talk is delivered.

(5) The provisions of sub-rules (2), (3) and (4) shall apply mutatis mutandis to the playing of prepared "recitals" of gramophone records.

13. Discussion of the policy or action of the Board or the Central Government or State Government. - No officer or ¹[employee] shall be by any utterance in writing or otherwise discuss or criticize in public or at any meeting of any association or body any policy pursued or action taken by the Board or the Central Government or a State Government or a local authority nor shall be in any manner participate in any such discussion or criticism:

Provided that nothing contained in this rule shall be deemed to prohibit -

(a) Any officer or ¹[employee] from participating in discussion at any private meeting solely of officers and ¹[Employee] as of the Board or of any recognized association of such officers of matters which affect the personal interests of such officer or ¹[employee] individually or general; or

(b) Any officer of ¹[employee] from defending and explaining in public or private meetings any policy or action of the Board or the Central Government or a State Government or a local authority for the purpose of removing misapprehensions and correcting misstatements or for the purpose of effectively carrying out such policy.

Explanation. - Nothing contained in this rule shall be construed to limit or circumscribe the power of the Board to require any officer or ¹[employee] to publish and explain any policy or action of the Board or the Central Government or a State Government or a local authority in such manner as may appear to it to be expedient or necessary.

(c) or of his family;

14. Evidence before committee or any other authority. - (1) No officer of ¹[employee] shall except with the previous sanction of the Chairman give evidence in connection with any inquiry conducted by any person, committee or authority.

(2) Where any sanction has been accorded under sub-rule (1) no officer of ¹[employee] giving such evidence shall criticise the policy or any action of the Central Government or a State Government or a local authority or the Board.

(3) Nothing in this rule shall apply to -

(a) evidence given at an enquiry before an authority appointed by the Central Government or State Government by Parliament or any State Legislature or the Board; or

(b) evidence given in any judicial enquiry; or

(c) evidence given in any departmental inquiry ordered by the authorities concerned.

15. Taking part in politics and elections. - (1) No officer or ¹[employee] shall be a member or be otherwise associated with any political party or any organization which takes part in politics nor shall he take part in or subscribe in aid of or assist in any other manner any political movement or activity.

(2) It shall be the duty of every officer or ¹[employee] to endeavour to prevent any member of his family from taking part in subscribing in aid of or assisting in any other manner any movement or activity which is or tends directly or indirectly to be subversive for the Government or the Board as by law established and where the officer or ¹[employee] is unable to prevent a member of his family from taking part in or subscribing in aid of or assisting in any other manner any such movement or activity shall make a report to that effect to the Board.

(3) If any question arises whether any movement or activity falls within the scope of this rule the decision of the Board thereon shall be final.

(4) (a) No officer or ¹[employee] shall canvass or otherwise interfere or use his influence in connection with or take part in an election to any legislature or local authority:

Provided that -

(i) an officer or ¹[employee] qualified to vote at such election may exercise his right to vote but where he does so he shall give no indication of the manner in which he proposed to vote or has voted.

(ii) an officer or ¹[employee] shall not be deemed to have contravened the provisions of this rule by reason only that he assists in the conduct of an election in the due performance of a duty imposed on him by or under any law for the time being in force.

(b) Nothing contained in this rule shall be deemed to prohibit the wife of an officer or ¹[employee] or any other member of his family living with or in any way dependent on

him from standing for election to any legislature or to any local authority and from canvassing for other candidates.

(c) The display by an officer or ¹[employee] on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this rule.

(5) Seditious propaganda or the expressing of disloyal sentiments by an officer or ¹[employee] shall be regarded as sufficient ground for dispensing with his services.

(6) An officer or ¹[employee] proposing or seconding the nomination of a candidate at an election or acting as a polling agent shall be deemed to have committed a breach of this rule.

16. Private trade or employment. - No officer ¹[Employee] shall except with the previous sanction of the Chairman engage himself directly or indirectly in any trade of business or undertake any employment :

Provided that an officer or ¹[employee] may without such sanction undertake honorary work of a social or charitable nature or occasional work of a literary artistic or scientific character subject to the condition that his official duties do not thereby suffer; but he shall not undertake or shall discontinue such work if so directed by the Chairman.

(2) (a) No officer or ¹[employee] shall act as arbitrator in any case without the sanction of his immediate superior unless he be so directed to act by a court having authority to appoint an arbitrator.

(b) No officer or ¹[employee] shall act as an arbitrator in any case which is likely to come before him in any shape by virtue of any office which he may be holding.

(c) If an officer or ¹[employee] acts as arbitrator at the private request of disputants he shall not accept any fees.

(d) (i) If however he is appointed as an arbitrator in a dispute between a private party and the Board other than the one in which he is working he may undertake such work and receive honorarium therefore on the following conditions, namely: -

(1) Before undertaking the work the officer shall as required under obtain prior approval of the immediate superior who shall decide whether consistently with his official duties he may be allowed to undertake the work and receive honorarium for it; and

(2) The honorarium payable will be decided by the Board.

(ii) In either of the above two cases when any costs on account of arbitration are awarded against a private party, the entire amount on recovery by the Board shall be credited to Board and shall not be paid to the arbitrator.

(e) If he acts by appointment of a court he may notwithstanding anything contained in Instruction 4 under Fundamental Rules 46 and 47 accept such fees as the Court may fix.

(3) No officer or ¹[employee] shall apply for private employment or signify his willingness to accept such employment without having previously obtained the permission in writing of the appointing authority in respect of the post which he is holding.

Provided that in the case of any such officer or ¹[employee] who is on leave preparatory to retirement such permission may be given by the Board if the appointing authority in respect of the post last held by that person is an authority subordinate to the Board.

(4) (a) Permission to apply for or accept private employment shall normally be granted to any officer or ¹[employee] who is on leave preparatory to retirement unless the employment is in a trading concern in India. Permission to apply for or accept private employment in a trading concern in India shall be granted only in very exceptional cases and may be subject to the condition of immediate retirement.

(b) Permission to apply for or accept private employment shall not be granted to any officer or ¹[employee] unless the competent authority is satisfied that his premature resignation may be accepted without detriment to the public service.

(c) The previous approval of the Board shall be obtained in the case of applications from officer or ¹[employee] who have been given special and expensive training at the cost of the Board to increase their utility to the Board.

(5) If any officer or ¹[employee] who is refused permission to apply for or accept private employment wishes to resign his appointment under the Board such resignation shall ordinarily be accepted.

(6) Where an officer or ¹[employee] who is not on leave preparatory to retirement is permitted to apply for or accept private employment he shall resign his appointment under the Board immediately on accepting such employment.

17. Vindication of acts and character of officers and ¹[employees]. - (1) No officer or ¹[employee] shall except with the previous sanction of the Chairman have

recourse to any court or to the press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of defamatory character :

Provided that nothing in this sub-rule shall be deemed to prohibit an officer of ¹[employee] from vindicating his private character or any act done by him in his private capacity.

(2) No officer or ¹[employee] shall except with the previous sanction of the Chairman accept from any person or body of previous compensation of any kind for any malicious prosecution brought against him or for any defamatory attack made on his public acts or character unless such compensation has been awarded by a competent court.

18. Influencing superior authorities for furtherance of interest. - No officer or ¹[employee] shall bring or attempt to bring any political or other outside influence to bear upon any superior of his for the furtherance of his interest pertaining to his service under the Board.

19. Addressing or interviewing superior authorities. - (1) No officer or ¹[employee] shall address directly any superior authority other than one to whom he is immediately subordinate in any matter relating to his official duties or affecting him personally as such officer or ¹[employee].

(2) No officer or ¹[employee] shall approach any person official or non-official other than the one to whom he is immediately subordinate in order to enlist support in respect of a matter affecting him personally as an officer or ¹[employee] or to obtain testimonials or certificates.

(3) No officer or ¹[employee] shall except with the previous permission of the superior authority to whom he is immediately subordinate seek an interview with any officer other than his immediate superior in respect of any matter affecting him personally as such officer or ¹[employee].

(4) Every application by an officer or ¹[employee] for appointment or transfer shall be sent through the proper channel.

(5) Mahazar petitions from any officer or ¹[employee] are prohibited.

20. Bigamous Marriages. - (1) (i) No officer or ¹[employee] shall enter into or contract a marriage with a person having a spouse living; and

(ii) No officer or ¹[employee] having a spouse living shall enter into or contract a marriage with any person :

Provided that the Board may permit an officer or a ¹[employee] to enter into or contract any such marriage as is referred to in clause (i) or clause (ii) if they are satisfied that -

(a) such marriage is permissible under the personal law applicable to such officer or ¹[employee] and the other party to the marriage;

(b) There are other grounds for so doing.

(2) No officer or ¹[employee] shall involve himself in any act involving moral turpitude on his part including any unlawful act which may cause embarrassment or which may bring discredit to the Board.

21. Integrity and devotion to duty. - (1) Every officer and every ¹[employee] shall at all times maintain absolute integrity and devotion to duty.

(2) Every officer shall take all possible steps to ensure integrity of and devotion to duty by all ¹[employee] for the time being under his control and authority.

(3) No officer or ¹[employee] in the performance of his official duties or in the exercise of powers conferred on him -

(i) act otherwise than in his best judgement except when he is acting under the direction of his official superior and he shall obtain such direction in writing wherever practicable and where it is not practicable he shall obtain written confirmation as soon thereafter as possible.

(ii) evade the responsibility devolving legitimately on him and seek instruction from or approval of a superior authority when such instruction or approval is not necessary in the scheme of distribution of powers and responsibilities.

22. Strikes. - No officer or ¹[employee] shall engage himself in strikes or in incitements thereto or in similar activities.

Explanation. - For the purpose of this rule the expression "similar activities" shall be deemed to include the absence from work or neglect of duties without permission and with the object of compelling something to be done by his superior officers or the Board or any demonstrative fast usually called "hunger-strike" or similar purposes.

23. Membership of service association. - No officer or ¹[employee] shall be a member representative or office bearer of any Association representing or purporting to

represent officers or ¹[employee]s of the Board and of its units or any class of officers or ¹[employee] unless such Association satisfies the following conditions namely:-

(a) Membership of the Association shall be open to all officers of ¹[employee] of the Board and of its Units;

(b) The Association shall not in any way be connected with any political party or organization or engage itself in any political activity;

(c) The Association shall be a recognized one and such recognition shall be accorded by the Board;

(d) The Association shall not issue or maintain any publication political or otherwise except with the permission of the Board.

(e) Except with the previous sanction of the Board the Association shall not publish any representation on behalf of its members whether in the press or otherwise;

(f) The Association shall not in any way be connected with any election to a Legislative body whether in India or elsewhere or to a local authority; or a body;

(g) The Association shall not pay or contribute towards expenses of any trade unions which has constituted a fund under section 16 of the Indian Trade Union's Act 1926 (Central Act XVI of 1926).

(h) The Association shall not except with the previous sanction of the Board publish any representation on behalf of its member whether in the press or otherwise;

(i) The Association shall not indulge in activities prejudicial to the sovereignty and integrity of India or morality or public order.

24. Pecuniary transactions with contractors. - All officers and ¹[employee] are prohibited from having any pecuniary transaction with contractors or with any other person in any way connected with any department of the Board, or of its Unit.

25. Consulting a medical practitioner for the purpose of obtaining leave. - It shall be the duty of every officer or ¹[employee] who consults a medical practitioner with a view to obtaining leave or an extension of leave on medical certificate to disclose to that practitioner the fact of his having consulted any other practitioner for the same purpose and the result of such consultation. Omission on the part of any officer or ¹[employee] to do this or any false statement made by him to a medical practitioner in this respect shall entail appropriate disciplinary action.

26. **Refusal to receive pay.** - Concerned or organized refusal on the part of officers or ¹[employee] to receive their pay shall entitle appropriate disciplinary action.

27. **Representation to Board Members, Ministers, etc.** - No officer or ¹[employee] shall make representations or send advance copies of such representations to the Ministers or to the Members of the Board direct. All representation shall be sent only through the proper channel.

¹[28. **Officer or ²[employee] of the Board not to be found drunk while attending office.** - The Board's officer or ²[employee] -

(a) shall strictly abide by any law relating to consumption of liquor or lubricating drugs in force in any area in which he may happen to be for the time being;

(b) shall not be found drunk or under the influence of liquor while attending or appearing in a public place :]

³[28-A. **Departmental action.** - If any officer or ²[employee] of the Board is convicted for the offence under section 4, 4-A, 5 or 7 of the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937), it shall entail him in severe departmental action.]

29. **Demonstrations.** - No officer or ²[employee] shall engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty of India, the security of the State, friendly relations with foreign States, public order decency or morality or which involves contempt of court, defamation or incitement to an offence.

30. **Joining of association by officers or ²[employee].** - No officer or ²[employee] shall join, or continue to be a member of an association the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

31. **Purchase of resignation.** - Officers and ²[employees] are hereby prohibited from entering into any pecuniary arrangements for the resignation by one of them of any office under the Board for the benefit of the others. Any nomination or appointment consequent upon such resignation shall be cancelled and such parties to the arrangement as are still in the service shall be suspended pending the orders of the Board or Government as the case may be.

32. **Interpretation.** - If any question arises relating to the interpretation of the provisions of any law, or of any order of any competent authority for the time being in force, relating to the conduct of officers and ¹[employees] of the Board and of its Units.

33. Interpretation. - If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

THE SCHEDULE - FORM - A

[See sub-rule (4) of rule 8]

STATEMENT OF IMMOVABLE PROPERTY HELD BY OFFICER OR ¹[EMPLOYEE].

1. Name of officer or servant (in full)	2. Name of office in which employed	3. Present post held 4. Date of appointment 5. Present pay.	

--	--	--	--

Date : Signature :

- * Inapplicable clause to be struck out.
- * In cases where it is not possible to assess the value accurately the approximate value in relation to present conditions may be indicated.
- * Include short-term lease also.

Note :- The declaration form is required to be filled in and submitted by every officer or servant on firms appointment to the service and thereafter at an interval of every twelve months, giving particulars of all immovable property owned, acquired or inherited by him or held by him on lease or mortgage, or otherwise either in his own name or in the name of any member of his family or in the name of any other person.

1. Substituted by G.O. Ms. No. 298, Housing and Urban Development, dated 25th March 1994.

FORM - B

[See sub-rule (8) of rule 8]

**REGISTER OF IMMOVABLE PROPERTY AND INTERESTS IN IMMOVABLE PROPERTY
HELD BY OFFICERS AND SERVANTS**

1. Substituted by G.O. Ms. No. 298, Housing and Urban Development, dated 25th March 1994.

FORM - C

[See sub-rule (2) of rule 8]

**FORM OF REPORT / APPLICATION FOR PERMISSION FOR THE BUILDING OF, OR
ADDITION TO, A HOUSE.**

Sir,

This is to report to you that I propose to build a house or to make an addition to my house. This is to request that permission may be granted to me for the building of the house or making addition to my house. The estimated cost of land and materials for the construction or extension of the house is given below: -

Land

1. Location (S.No. Village, District, State)
2. Area
3. Cost.

Building materials etc.,

1. Bricks (Rate/quantity/cost)
2. Cement (Rate/quantity/cost)
3. Iron and Steel (Rate/quantity/cost)
4. Timber (Rate/quantity/cost)
5. Sanitary Fittings (cost)
6. Electrical Fittings (cost)
7. Any other special fittings (cost)
8. Other charges, if any.

Total cost of land and buildings

2. The construction will be supervised by myself. The construction will be done by@ I do not have any official dealing with the Contractor, nor did I have any official dealing with him in the past. I have/had official dealings with the Contractor and the nature of my dealings with him/is/was as under :

3. The cost of the proposed construction will be met as under:

Amount

- (i) Own Savings
- (ii) Loans / Advances with full details
- (iii) Other sources with details

Yours faithfully

1. Strike out the portion not applicable.
2. Enter the name and place of business of the Contractor.

¹[FORM - C1]

[See sub-rule (2) of Rule 8]

FORM OF APPLICATION FOR SANCTION FOR THE ACQUISITION OF A HOUSE.

To,

Sir,

This is to report to you that I propose to acquire a ready built house at
.....

..... This is to request that sanction may be granted to me for the acquisition
of the house.

2. I enclose herewith a Valuation Report duly certified by (a)
.....

.....

3. I do not have any official dealings with the seller, nor did I have any official
dealings with him in the past. I have had official dealings with the seller and the nature
of my dealings with him is/was as under:

4. The particulars of the house to be acquired and its estimated cost are given
below:

1. Location of the house
(Plot number, Survey Number, Village,
Taluk, District and State)

2. Area.

3. Name of the Seller

4. Address and Occupation of the Seller

5. Cost of the house

6. The cost of the house will be met as under:

(i) Personal Savings

(ii) Loans or advances with full details

(iii) Other sources with full details

Yours faithfully

1. Inserted by G.O. Ms. No. 298, Housing and Urban Development, dated 25th March, 1994.

VALUATION REPORT

I / We hereby certify that I / We have valued House at
.....
.....
.....
.....
.....
.....
.....
.....
.....
..... to be purchased by Thiru / Thirumathi
..... and I / We give below the value at
which we estimate the cost of the House under the following headings:-

HEADING	COST
(1)	(2)
1. Approximate value of the plot.	
2. Area and approximate value of the building.	
3. Approximate value of electrical, sanitary and other fittings and fixtures.	

Total cost of the Buildings.

FORM - D

[See sub-rule (2) of Rule 8]

**FORM OF REPORT AFTER COMPLETION OF THE BUILDING OF A HOUSE / ADDITION
TO THE HOUSE**

Sir,

In my letter No. dated
..... I had reported
that I proposed to build a house or make addition to my house, permission was granted to
me in
order No. dated of the
for the building of house or making addition to my house. The construction of the house
or the addition to the house has since been completed and I enclose a Valuation Report
duly certified by a Firm of Civil Engineers or a Civil Engineer of repute.

2. The cost of construction indicated in the enclosed valuation report was financed
as under :

Amount

- (i) Own Savings
- (ii) Loans / Advances with details

Yours faithfully

DATE : (Sd.).....

VALUATION REPORT

I / We hereby certify that I / We have valued House @
..... of the
..... constructed by Thiru / Thirumathi
..... and I / We give below
the value at which we estimate the cost of the House under the following headings: -

HEADING	COST	
	Rs.	P.
1. Bricks		
2. Cement		
3. Iron and Steel		
4. Timber		
5. Sanitary fittings		
6. Electrical fittings		
7. All other Special fittings		
8. Labour Charges		
9. All other charges.		
TOTAL COST OF THE BUILDINGS		

DATE :

*Signature of the
Valuation Authority*

5. THE TAMIL NADU SLUM CLEARANCE BOARD SERVICE RULES, 1972

[G.O. Ms. No. 242, Housing, dated 3rd October 1972]

S.R.O. NO. A 1100 OF 1972. - In exercise of the power conferred by section 38(1) and 70 of the Tamil Nadu Act 11 of 1971), the Governor of Tamil Nadu hereby makes the following rule in regard to conditions of service of officers and servants of the Tamil Nadu Slum Clearance Board:-

TAMIL NADU SLUM CLEARANCE BOARD SERVICE RULES, 1972

PART 1

PRELIMINARY

1. **Short title and commencement.** - (a) These rules may be called the Tamil Nadu Slum Clearance Board Service Rules, 1972.

(b) They shall be deemed to have come into force in 30th September 1971.

2. **Definitions.** - In these rules unless there is anything repugnant in the subject or context :

(1) **Act** - 'Act' means The Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971. Tamil Nadu Act 11 of 1971.

(2) **Appointed to a service.** - A person is said to be 'appointed to a 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 commence the probation, instruction or training if any prescribed for members thereof.

(3) **Act temporarily.** - A person is said to be act 'temporarily' in permanent or temporary post when he is appointed to it without right to probation.

(4) **Approved candidate.** - a person is said to be 'a approved' candidate for the board service if his name appears in the authoritative list of candidates selected for appointed' to any service, class or category.

(5) **Approved probationer.** - 'Approved probationer' in a service class or category means that a member of that service, class or category who has satisfactorily completed his probation and awaits appointment as a full member of such service, class or category.

(6) **Backward classes.** - 'Backward classes' means the communities mentioned in Schedule 1 to the part.

(7) **Board.** - 'Board' means Tamil Nadu Slum Clearance Board, established under section 34 of the Act.

(8) **Chairman.** - 'Chairman' means the Chairman of the Board appointed by the Government under Section 35 of Chapter VIII of the Act.

(9) **Discharge of a member of a service.** - 'Discharge of a member of a service' means dispensing with his service for want of a vacancy.

(10) **Duty.** - A person is said to be 'on duty' as a member of a service.

(a) When he is performing the duties not a post borne on the cadre of such service or is undergoing the probation, instruction or training if any prescribed for such service; or

(b) When he is joining time: or

(c) When he 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:

(11) **Full member.** - 'Full member' of a service means a member of that service who has been appointed substantively to a permanent post borne on the cadre thereof.

(12) **General Rules.** - 'General Rules' shall mean the rules in part II of these rules.

(13) **Member of a service.** - 'Member of a service', means a person who has been appointed to that service and who has not retired, resigned, been removed or dismissed, or been discharged otherwise than for want of vacancy. He may be a probationer, or approved probationer or a full member of that service.

(14) **Military duty.** - "Military duty" means-

(1) duty of any kind (including a course of training) involving subjection to Naval, Military or Air Force Law; or

(2) duty (including a course of training) with a liability to service overseas or in any operational areas in Naval, Military or Air Force unit or formation or under Military Munition or stores authorities or in factories: or

(3) Whole time duty in-

(a) The Civil Pioneer Force, Madras Civil Labour Unit or the Madras Labour Units for Ceylon; or

(b) The A.R.P. or any other Civil Defence Organisation specified by the Central Government; or

(c) any post created for the efficient prosecution of the last war or associated with the training of war technician if duty in such post is declared by the Central Government to be military duty.

NOTE. - (1) No duty shall be treated as military duty unless it commenced on any date between the 3rd September 1939 and the 1st April 1946 (both days inclusive).

(2) No duty rendered on or after the 22nd November 1948 shall be treated as military duty :

(15) **Probationer.** - "Probationer" in a service means a member of that service who has not completed his probation.

(16) **Promotion.** - "Promotion" means the appointment of a member of any category of a service or a class or service to a higher category of such service or class.

(17) **Recruited direct.** - A person is said to be recruited direct when he is not already a member of the Board service, to which the direct recruitment is made.

(18) **Recruitment by transfer.** - A person is said to be recruited by transfer if at the time of his appointment to a service he is an approved probationer or full member of any other service.

(19) **Reversion.** - "Reversion" shall mean the reversion of a member of a class or category of a service to a lower class or category of such service for want of a vacancy.

(20) **Secretary.** - "Secretary" means the Secretary to the Board appointed by the Government under section 37 of Chapter VIII of the Act.

(21) **Scheduled Castes.** - "Scheduled Castes" means the communities mentioned in Part A of Schedule 11 to this part.

Explanation. - No person who professes a religion different from Hinduism shall be deemed to be a member of a Scheduled Caste.

(22) **Scheduled Tribes.** - "Scheduled Tribes" means the communities mentioned in Part B of the Schedule II to this part.

(23) **Service.** - "Service" shall mean any one of the Tamil Nadu Slum Clearance Board services in Part III of these rules.

(24) **Special Rules.** - "Special Rules" shall mean the rules in Part III applicable to each service.

(25) **Transfer.** - "Transfer" shall mean the posting of a person holding a post under the Slum Clearance Board to an identical post in another branch or Division of the Slum Clearance Board.

Where the context so requires, "transfer" shall mean the appointment of a member of a category of a service to another equivalent category in the same service.

(26) **War Service.** - "War Service" means-

(a) a service of any kind in a unit or formation liable for service overseas or in any operation area or in the Indian National Army (I.N.A.) ;

(b) service in India under Military, Munitions or Stores authorities or in factories with a liability to serve overseas or in any operational area ;

(c) all other service involving subjection to Naval, Military or Air Force law ;

(d) a period of training with a Military unit or formation involving liability to serve overseas or in any operational area;

(e) valuable service rendered to the fighting force in other ways, e.g., by way of recruiting;

(f) service in A.R.P. or any other civil defence organisation specified in this behalf by the Central or State Government; and

(g) (1) any service connected with the prosecution of the war which a person was required to undertake by a competent authority under the provisions of any law for the time being in force.

(2) Service in any of the following :-

(i) National War Front Organisation

(ii) Comflag Organisation

(iii) Special Organisation for the production of war supplies through small-scale industries.

(iv) Any post associated with the training of war technicians, if duty in such post is declared by the Central Government to be 'Military Duty'

(v) Post of Special Constable on Coastal patrol duty;

(vi) Survey of India if the service was temporary and involved liability for service overseas.

SCHEDULE - 1

Backward Classes

[see definition 6 in rule 2,]

1. Agamudaiyan (including Tuluva Vellalas).
2. Agasa.
3. Ambalakaran.
4. Annadan

5. Are Maharathi
6. Arya (South Canara)
7. Atagar
8. Archukathlavandu
9. Bedaga
10. Balolika
11. Bestha
12. Bhandari
13. Billava
14. Bissoy
15. Bandit.
16. Boya
17. Chaptegara
18. Chatadi (Chattada Srivaishnava)
19. Dadsari
20. Devadiga
21. Devalkar
22. Devanga
23. Dhakkada
24. Dommara
25. Dudekula
26. Enadi
27. Galadakonakani
28. Gandla
29. Gangavars
30. Ganika (including Nagavamsam)
31. Gatti

32. Govara (including Kavari Naidu of Coimbatore Districts)
33. Godaba.
34. Gondo
35. Gowda (including Gamalla or Kolali)
36. Gramani, Shanan and Nadar
37. Gudigara
38. Hegde
39. Idigar (including Setti Bliga)
40. Isai Vellalar or Melakkarar.
41. Illuvar (Ezhuvar, Illathar)
42. Urulas
43. Jandara
44. Jangam
45. Jhetty
46. Jogi
47. Kabbora
48. Kadaian
49. Kaduppathan (Malabar)
50. Kajkolan (Senguthar)
51. Kalavanthula.
52. Klingi
53. Kallan (including Esanattu Kallar)
54. Kammalamns (Kamsalas, Viswa, Brahmins and Vishvakarma)
55. Kani and Kaniyan and Kanisu Kaniyar Panikar.
56. Kannadiyan
57. Kavuthiyan
58. Kolasi

59. Kharvi
60. Khatri
61. Kohdala
62. Kolaries or Muniyanies
63. Koppalavelamas
64. Koracha
65. Kotevar (Sheragara Kshatriyas of South Kanara)
66. Kulala (Kosava-Potter)
67. Kuruba or Kurabar (Tamil District)
68. Kurumba
69. Labbai
70. Lambadies
71. Mandivala
72. Madugar of Medavar, Vethakkara of Salem district
73. Mehendara (Medara)
74. Magratta (non-Brahmin)
75. Malaili
76. Malayan (Malabar)
77. Male
78. Mangala
79. Mappilla
80. Marathi of South Kanara District (Hill Tribe)
81. Maravar (including Karumaravar of Tiruchirapalli District)
82. Maruthuvar
83. Melakudi or Kudiyan
84. Modi Banda
85. Mogaveera

86. Modili
87. Moniagar
88. Muduva
89. Mukhari
90. Mukkuvan or Mukayan alias Mogaya (including Boyis)
91. Kutracha or Muthuraja
92. Nagarajam
93. Nakkale
94. Nalkedaya
95. Namdeva Maharatta
96. Odden (Dongar)
97. Odde (Vode or Vadde or Voddai)
98. Odiya
99. Oiula
100. Omanaito
101. Oriya
102. Padayachi
103. Palli
104. Pamula
105. Pangadikara
106. Panniyar or Pannayar
107. Parakavakulam (Surithiman Malayaman, Nathaman Moopnar Or Nainar)
108. Paravan Christians (in Kanyakumari District and Shencottah taluk of Tirunelveli district.
109. Paravan (in areas other than Kanyakumari district and Sencottah taluk of Tirunelveli district
110. Pattunulkaran
111. Pattanavan

112. Pentias
113. Perike
114. Peruvannan
115. Pichigunta
116. Poraya
117. Pulluvan
118. Pusala (Pushlavadu)
119. Rajapur. (South Kanara)
120. Reddy (Ganjam)
121. Ronas
122. Sadhu Chetty (including Telugu Chetti or 21 Manai Telugu Chetty)
123. Saliyan (Pattariar and Adaviayar)
124. Sedan
125. Paravatharajakulam
126. Senaithalaiver (Senaikudayan)
127. Siviari
128. Sourashtra
129. Srisayana
130. Sugalins
131. Tatapu
132. Toikule
133. Thegata Veerakshtriya
134. Thevula Naicker and Veetalakara Naicker
135. Theriyan
136. Thurpur Kapus
137. Tigala (Tigla)
138. Tondaman

139. Rajaka
140. Uppara
141. Ural Gounden
142. Vaduvan (Vadugan)
143. Vakkaliga
144. Vainiyan
145. Vanier (oil-monger cast all over the State)
146. Vannan
147. Vanniakula Kshatriya (including Vanniya, Vanniyar, or Vanniar Gounder, Kander or Vanniya Gounder and Vanniya Kander orther than Vella Gounder belonging to Vanniakela Kshatriya Caste)
148. Velakatalavan
149. Veluthadan
150. Virakodi Vellalars
151. Vathis
152. Yadhava
153. Yerukula
154. Converts to Christianity from the scheduled caste (only persons who are themselves converts)

SCHEDULE II

PART A

Scheduled Castes

1. Throughtout the State -
 - (1) Chakkiliyan
 - (2) Kuruvan, Sidhan
 - (3) Nayadi
 - (4) Pallan
 - (5) Paraiyan, Parayan (Sambar)

(6) Valluvan

2. Throughout the State except Kanyakumari district and Shencottah taluk of Tirunelveli district -

(1) Adi-Andhra

(2) Adi-Dravida

(3) Adi-karnataka

(4) Ajila

(5) Arunthathiyar

(6) Baira

(7) Bandi

(8) Bakuda

(9) Bellari

2. Throughout the State except Kanyakumari district and Shencottah taluk of Tirunelveli district - (Contd.)

(10) Chalavadi

(11) Chamar or Muchi

(12) Chandala

(13) Cheruman

(14) Devandrakulathan

(15) Dom Dombara Paidoor Pano

(16) Godagali

(17) Godda

(18) Gosangi

(19) Holaya

(20) Jaggali

(21) Jambuvulu

(22) Kadaiyan

(23) Karimpalan

- (24) Koosa
- (25) Kudumban
- (26) Madari
- (27) Madiga
- (28) Maila
- (29) Mala
- (30) Mavilan
- (31) Moger
- (32) Mundala
- (33) Nelakeyava
- (34) Pagadai
- (35) Pambada
- (36) Panchama

2. Throughout the State except Kanyakumari district and Shencottah taluk of Tirunelveli district - (Contd.)

- (37) Pannaiandi
- (38) Puthirai Vannan
- (39) Raneyar
- (40) Samagara
- (41) Samban
- (42) Separi
- (43) Semman
- (44) Thoti
- (45) Tiruvalluvar

3. In the Nilgiris district -

Kannakkan or Padanna.

4. In Coimbatore and Salem district -

- (1) Pannadi
- (2) Vathiriyar

5. In Kanyakumari district and Shencottah taluk of Tirunelveli District -

- (1) Ayyanavar
- (2) Bharatar
- (3) Domban
- (4) Kakkalan
- (5) Kavara
- (6) Kottam (Kodan)
- (7) mannan
- (8) Padannan
- (9) Palluvan
- (10) Panan
- (11) Paravans
- (12) Pathiyar
- (13) Perumannan

5. In Kanyakumari district and Shencottah taluk of Tirunelveli District - (Contd.)

- (14) Puleyan or Cheramar
- (15) Thandan
- (16) Ulladan
- (17) Urally
- (18) Vallon
- (19) Vannan
- (20) Velan
- (21) Vetan
- (22) Vettuven

6. In Thanjavur District -

- (1) Kolyan
- (2) Vettiyan

SCHEDULE II

PART B - **Scheduled Tribes**

[See definition (22) in rule 2.]

- 1. Throughout the State -
 - (1) Kadar.
 - (2) Irular
- 2. Throughout the State except Kanyakumari district and Shencottah Taluk or Tirunelveli District -
 - (1) Adiyan
 - (2) Arandan
 - (3) Kammara
 - (4) Kattanayakkan
 - (5) Kondakupus
 - (6) Konda Reddis
 - (7) Koraga
 - (8) Kota
 - (9) Kudiya or Melakudi
 - (10) Kurichehnan
 - (11) Kurumans
 - (12) Mahamalar
 - (13) Malasar
 - (14) Malayekandi
 - (15) Kudugar or Muduvan
- 2. Throughout the State except Kanyakumari district and Shencottah Taluk or Tirunelveli District - (Contd).
 - (16) Palliyan

- (17) Paniyan
- (18) Pulayan
- (19) Sholaga
- (20) Toda
- 3. In North Arcot, Salem and Tiruvhirappalli District - Malayali
- 4. In Coimbatore and Tirunelveli District (except Shencottah Taluk) Kaniyan or Kanyan.
- 5. In the Nilgiris district - Kurumbas
- 6. In Kanyakumari District and Shencottah Taluk of Tirunelveli District -
 - (1) Eravallan
 - (2) Hill Pulayas.
 - (3) Kanikaran or Kanikkar
 - (4) Kichu Velan
 - (5) Malakkuravan
 - (6) Malai Ardyan
 - (7) Malai Pandaram
 - (8) Malai Vedan
 - (9) Malayan
 - (10) Malayarayar
 - (11) Mannan
 - (12) Muthuvan
 - (13) Pallayan
 - (14) Palliyar
 - (15) Ulladan (Hill Dwellers)
 - (16) Uraly
 - (17) Vishavan

GENERAL RULES

1. **Scope of the general rules.** - (a) The rules in this part shall apply to all Slum Clearance Board Services and to the holders of every post, whether temporary or permanent in any class or category of such services or any post equivalent thereto on the 30th September 1971.

(b) Every person who on 30th September 1971 has been holding a post in any category of any of the service in a temporary capacity shall be deemed to have been appointed under these rules and nothing contained in these rules and in the special rules shall adversely effect any person who is already in service of the Board on 30th September 1971.

Explanation. - If any doubt arises whether or not a post is or is not equivalent to a post in a class or category of the Slum Clearance Board Service, the matter shall be referred to the Government whose decisions shall be final.

2. **Relation to the special Rules.** - If any provision in the general rules contained in this part is repugnant to a provision in the special rules applicable to any particular service, class or category or grade thereof whether by direct recruitment or by recruitment by transfer or by promotion contained in Part III, the later shall, in respect of that service prevail over the provision in the general rules in this part.

3. **List of approved candidate.** - All first appointments to a service shall be made by the appointing authority from a list of approved candidates. Such list shall be prepared by the appointing authority or any other authority empowered in the special rules in that behalf. Where the candidates in such list are arranged in their order of preference, appointment to the service shall be made in such order.

4. **Fee to be paid by candidate.** - Every candidate who applies for appointment to any class or category of a service in response to an advertisement issued by the appointing authority, shall pay such fee as may be prescribed in the advertisement. The fee may be sent either by postal money order or by crossed postal order payable to the appointing authority:

Provided that no fee shall be levied from a candidate who has rendered war service:

Provided further that it shall be open to the appointing authority with the concurrence of the Board to exempt any class or classes of persons from payment of fees.

5. **Right of probationers and approved probationers to re-appointment.** - A vacancy in any service, class or category not being a vacancy which should be filled by

direct recruitment under the special rule shall not be filled by the appointment of a person who has not yet commenced his probation in such service, class or category when an approved probationer or probationer therein is available for such appointment.

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

First. - The probationers in the order of juniority; and

Second. - The approved probationers in the order of juniority.

(b) The order of reversion or discharge may be departed from a case where such order will involve an excessive expenditure on travelling allowances or exceptional administrative inconvenience.

7. Members absent from duty. - The absence of a member of a service from duty in such service, whether on leave, or on foreign service or on deputation or for any other reason and whether his lien in a post borne on the cadre of such 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 such service 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 appointment as full member which he would have enjoyed but for his absence subject to his completion satisfactorily the period of probation on his return.

8. Temporary appointment and promotions. - (a) The appointing authority may appoint any person temporarily for a period not exceeding six months or promote any person temporarily for a period not exceeding three months for any one of the following reasons:-

(i) In order to fill up a vacancy which has arisen in any category or class of a service immediately in the public interest and where there will be undue delay in making an appointment in accordance with the rules.

(ii) Where it is necessary to fill up a short vacancy in a category or class of service and the appointment of a person who is eligible for appointment on promotion under the

rules involves excessive expenditure on travelling allowance or exceptional administrative inconvenience.

(b) Where it is necessary to appoint an officer 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.

(c) A person appointed or promoted temporarily under clause (a) or (b) shall not be regarded as a probationer in such service, class or category. The service of such a person shall be liable to be terminated by the appointing authority at any time without notice and without reasons being assigned.

(d) A person appointed or promoted temporarily under clause (a) or (b) shall be paid his substantive pay or the minimum of the time scale of pay applicable to the post whichever is higher.

¹[(e) A person fully qualified under the rules to hold a post borne on the cadre of a service, class or category, who has rendered continuous temporary service shall be eligible to draw annual increments in the scale of pay for the post, subject to the condition that the rules do not prescribe any special qualification to be acquired or test to be passed as a condition precedent to the drawal of such increment or the increment is not denied as a measure of specific punishment. In the case of unqualified persons, the temporary service rendered by them shall be allowed to count for increment from the date on which they become fully qualified to hold that post.]

9. Appointment on contract. - Notwithstanding anything contained in these rules, wherever it is necessary, in the interest of the administration or in the public interest to appoint a person to any service, class or category otherwise than in accordance with the rules, the appointing authority concerned may with the prior approval of the Board appoint any person on contract for a period not exceeding three years at a time. A person who is so appointed shall not be regarded as a member of the service to which he is appointed. He shall be governed by such conditions which shall be specified in the contract entered into by him with the appointing authority.

10. Qualification. - The minimum general educational qualification wherever referred to in the special rules shall mean the qualification prescribed in the Schedule to this part:

Provided that a candidate who has rendered war service shall be deemed to possess the minimum general educational qualification if he has appeared for the Secondary

School-Leaving Certificate Examinations of the State and has been declared eligible for admission to collegiate center of studies.

¹[**10-B. Linguistic test.** - A language test of the standard for VII standard shall be prescribed for those, whose educational qualification is VIII standard and above but below secondary school-leaving certificate and for those who do not possess an adequate knowledge of the official language of the State of Tamil Nadu, as specified below: -

(ii) An oral test of the standard for IV Standard shall be prescribed for those, whose educational qualification is below VIII Standard and for those who do not possess an adequate knowledge of Tamil to find out whether a person is able to converse freely and fluently in Tamil.

The above test shall be conducted by the appointing authority]

11. **Age-limit.** - (a) The ¹[age-limit prescribed in the special rules] shall not apply to the appointment of a candidate belonging to any of the Scheduled Castes, Scheduled Tribes or Backward Classes to a post included in a service for which the special rules prescribed, a qualification lower than a degree of any University, if the candidate possess a general educational qualification higher than the minimum general educational qualification.

Note. - A candidate who has rendered war service is eligible to deduct from his age the period of war service for the purpose of computing his age for appointment.

(b) The ²[maximum] age-limit shall be increased up to five years in the case of candidates belonging to Scheduled Castes or Scheduled Tribes and up to two years in the case of candidates belonging to the Backward Classes.

12. **Special qualifications to be acquired or special tests to be missed.** - No person shall be eligible for appointments to any service or category unless he -

(a) possesses such special qualifications and has passed such special tests as may be prescribed in that behalf in the special rules; or

(b) possesses such other qualifications as may be considered to be equivalent to the said special qualifications or special tests by the State Government.

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

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

¹[**13A. Employment concession for destitute widows.** - Notwithstanding anything contained in these rules or in the special rules for the various services, preference shall be given to the destitute widows, who possess the qualifications prescribed for appointment to any category in the services of the Board by the direct recruitment.

Explanation. - For the purpose of this rule, "destitute widow" means a widow who has neither any means by herself to live nor any dependant to protect her from starvation.]

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

15. Date of commencement of probation of persons appointed or promoted temporarily. - If a person, who is appointed or promoted temporarily under rule 8 of these rules, is subsequently appointed thereto in accordance with the rules, it shall be open to the appointing authority to allow such person to commence his probation from the date of such appointment or promotion or from an earlier date, such date not being earlier to the date of the first temporary appointment or promotion under rule 8 as the appointing authority may in his discretion decided:

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

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

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

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

which he would have held the post in the former category but for his temporary appointment.

18. Completion of probation and drawal of arrears of increments. - Any delay in passing orders of completion of probation shall not monetarily affect the approved probationer and arrears of increments shall be allowed from the date of completion of probation as a matter of course, subject to the following conditions, namely: -

(1) that the probation would have been declared to have satisfactory completed from the date ordered, even if the question of declaration of probation had been taken up earlier;

(2) that the declaration of satisfactory completion of probation was delayed by factors which would not, in any case, change the date of such completion:

(3) that the person whose probation is declared to have been satisfactorily completed was qualified as on the date ordered:

(4) that declaration of satisfactory completion of probation was not the result of any relaxation of rules.

In all cases coming under items (1) to (4) above, orders issued declaring the probation or relaxing statutory rules shall include a special provision in regard to drawal of arrears of increments.

19. Appointing authority to consider suitability for full membership. - As soon as a probationer in any class or category of a service has completed his period of probation prescribed in the rule or the extended period of probation referred to in rule 20 as the case may be the appointing authority shall consider his suitability for full membership to the class or category as the case may be provided he has passed the test, if any, which he should pass during the period of his probation.

If the appointing authority is satisfied that the probationer is suitable for full membership, he shall pass an order declaring him to be an approved probationer:

20. Extension of Probation. - If the appointing authority is of the opinion that the probationer in order to enable him to decide upon his suitability for full membership or if the probationer has not passed the test or tests if any, which the probationer should pass within the period of probation, he should be given time to enable him to pass the tests and the appointing authority may extend his period of probation for a period not exceeding one year. In case 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 or 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 had passed the prescribed tests or after he is declared to have satisfactorily completed his probation.

21. Completion or termination of probation. - (a) At the end of the prescribed period or extended period of probation, as the case may be, the appointing authority shall consider the probationer's suitability for full membership in the post in which he is probationer.

(b) If the appointing authority decides that a probationer is suitable for such membership, it shall issue an order as soon as the period of probation is over declaring the probationer to have satisfactorily completed his probation.

(c) If within the prescribed period of probation or extended period of probation, the appointing authority decides that a probationer is not suitable for such membership or has not acquired the special qualifications prescribed, it may at its discretion by order, terminate his probation, and discharge him from service after giving a reasonable opportunity of showing cause against the proposed termination of probation;

Provided that notwithstanding anything contained in this sub-rule, the appointing authority may declare the probationer to have satisfactorily completed his period of probation under sub-rule, (a) and (b) in the case of a person, in whose case passing of the prescribed test was not notified as a condition precedent to the declaration of his probation, But such a person shall be required to pass the said tests within the period allowed. If the person does not pass the prescribed test within the said period such person's increment shall be stopped until he passed the test within the extended time allowed. Such a stoppage of increment shall not be treated as a penalty and shall not have the effect of postponing future increments after he has passed the prescribed test.

22. Automatic completion of probation. - (a) If no order of completion, extension or termination is issued within three months from the date of expiry of the prescribed or extended period of probation, the probationer shall be deemed to have completed his probation. Formal orders shall issue thereafter.

(b) Any delay in passing orders of completion of probation shall not monetarily affect probationers and arrears of increments shall be allowed from the date of completion of probation as a matter of course.

(c) A special register of probationers in the form prescribed in Appendix A shall be maintained for watching the completion of probation of officers and servants of the Board. Separate pages shall be allotted for each category of posts. Entries shall be made in the register as soon as a person is placed on probation. The register shall be examined once a month and all cases of probationers whose probable date of completion falls in the next forty five days shall be extracted and action pursued with a view to passing orders on completion of probation or otherwise in time.

(d) As soon as a person is appointed to a post on probation a probation sheet shall also be opened in the form prescribed in Appendix 'B' and entries made in columns (1) to (6). The probation sheet shall be sent to the office in which the probationer is working and further entries shall be made by the Head of the Office in which the probationer works. It shall be sent along with Last Pay Certificate, and the Service Book, when the probationer is transferred from one office to another.

(e) Every probationer, shall put up a note to the Head of the Office forty-five days before the end of the period of probation, in the following lines: -

"I will be completing the prescribed period of probation of years on in the post of as per details of services given below: "-

The question of declaring me to have satisfactorily completed the probation may be considered and necessary orders issued in time under the rules.

(f) The note shall also give details of the tests áscribed, which the probationer has passed and the date on which he has passed them. The Head of the Office shall forward the note with his comments to the competent authority: This shall not in any way absolve the authorities concerned from their responsibility to initiate action for the declaration of probation of the individuals concerned.

(g) In all cases in which serious charges are pending and therefore, probation cannot be declared, the Chairman or the authority concerned shall satisfy himself or itself that the enquiry into the charges is completed as quickly as possible. the probationers concerned shall be informed in writing that action regarding completion of probation will be taken up only after the charges pending against them are disposed of. The final order on probation shall be passed as expeditiously as possible and in any case within a month after the disposal of the charges or three months after the due date of completion of probation, whichever is later.

23. Appeal against termination of probation. - A probationer whose probation has been terminated for reasons other than failure to pass the prescribed test shall be

entitled to appeal to the next higher authority. Such appeal shall be preferred within a period of two months of the date on which the order of termination of probation is communicated to him.

Provided that the appellate authority may in his discretion extend the aforesaid period beyond two months.

24. Appointment of full members. - The senior most approved probationer in a class or category, as the case may be of service shall at the earliest possible opportunity be appointed as a full member in a substantive vacancy exists from a date prior to the date of completion of probation he shall be appointed retrospectively as a full member from such date provided that no person shall be appointed from a date which is earlier to the date on which he commenced probation. No person shall at the same time be a full member of more than one service.

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

Provided that the seniority of a person appointed temporarily prior to the issue of these rules and who have been brought within the purview of these rules shall be determined with reference to his/her date of appointment to the service, class or category or with reference to such other date as the appointing authority may determine.

26. Promotion - Every promotion to a class or category of service, such promotion should be made on the ground of merit and ability, authority being taken into account only where merit and ability are approximately equal, shall be made only from a promotion- panel drawn up by the appointing authority.

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

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

28. Merit and Seniority in the matter of promotion. - (a) All promotions shall be made on grounds of merit and ability of the member of the service, his seniority being taken into account only where merit and ability are approximately equal, except where

the special rules governing service specifically require that promotion to any class or category thereof shall be made on the basis of seniority alone.

(b) Where the special rules governing a service requires that promotion to any class or category thereof shall be made on the basis of minority alone, the order of seniority may be departed from in the following cases, namely: -

(i) Where promotion is given on grounds on conspicuous merit and ability:

(ii) where promotion has been withheld as a measure of penalty.

29. Representation against supersession of claim for promotion.- Every member of a service whose claim for promotion is passed over shall have the right to make a representation in writing for redressal of his grievance. Such representation should be made to the authority to which an appeal should lie against an order of dismissal passed on a full member of the service, class or category as the case may be and within one month from the date of which the cause for making the representation accrued. However, the prescribed authority may at his discretion entertain such representation even beyond the prescribed period of one month if the petitioner adduces sufficient reasons for the delay in making the representation provided that no such representations shall ordinarily be entertained beyond six months. The aforesaid authority shall examine every such representation on merits and pass suitable order and no appeal shall lie against this order.

30. Revision of order of promotion.- Nothing contained in rule 29 shall be construed as preventing authority mentioned in that rule of suo-moto examining any order promoting any member of a service and revise and revising it in any manner it considers equitable.

31. Posting and transfer.- (a) Member of a service or class of a service may be required to serve in any post borne on the cadre of such service or class.

(b) All transfers and postings shall be made by the appointing authority.

(c) The power conferred under sub-rule (b) may be exercised by the State Government or any authority to whom the appointing authority is subordinate.

32. Consequences of resignation.- A member of a service shall, if he resigns his appointment, forfeit not only the service rendered by him in the particular post held by him at the time of resignation, but an previous service under the Tamil Nadu Slum Clearance Board.

The re-appointment of such person to service shall be treated in the same way as first appointment to service by direct recruitment in the rules governing such appointment shall apply and such reappointment he shall not be entitled to count any portion of his previous service for any benefit or concession admissible under any rule or order.

33. Reduction of full members.- If a full member of any class or category of a service is substantively reduced to a lower class or category therein, he shall be deemed to be a full member of the latter and the permanent cadre thereof shall, if there is no vacancy in which he could be observed, be deemed to be increased by one :

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

34. 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 service, class or category no vacancy caused thereby, arising subsequently in such service, 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.

35. Re employment of pensioners.- Notwithstanding anything contrary to these rules or the special rules the Board shall have the power to reemploy in Slum Clearance Board Service or class, or category thereof any person who has retired from a Government or Local or autonomous body for a period not exceeding one year at a time. The reemployment of such period shall not be regarded as a first appointment to that service nor it shall confer on him the status of a member of a service in which he is re-employed.

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

37. **Power to relax rules.** - Notwithstanding anything contained in these rules or the special rules, the Slum Clearance Board shall have the power to deal with the case of any person or class of person serving in a Slum Clearance Board Service or any candidate or class of candidates for appointment to such services in such manner as may appear to it to be just and equitable. (Just and equitable, subject to the prior approval of the Government')

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 that is provided by that rule.

38. **Alteration of date of birth** - The date of birth of a member found on record in the S.S.L.C. or Matriculation Register or any school certificate which he produces at the time of his appointment to the service is recorded. If a member of a service claims subsequently that his date of birth is different from that entered in the S.S.L.C. or

Matriculation Register or school certificates, he shall make an application to the appointing authority explaining how the mistake occurred and also produce the evidence on which he relies.

(b) An application for alteration of the date of birth should not normally be accepted by the appointing authority if it is made five years after the member had entered a service unless the applicant furnishes adequate reasons for not making his application earlier.

(c) the appointing authority shall conduct such enquiry as may be necessary and if the authority is satisfied that the claim of the applicant is supported by adequate evidence it shall pass an order allowing the request:

Provided that where the appointing authority is subordinate to the Slum Clearance Board it shall pass such order only getting the concurrence of the Board.

(d) In considering the question of permitting any alteration in the date of birth as entered in the official records even when such entry is proved to have been due to a bona fide mistake, the Slum Clearance Board or the appointing authority shall take into consideration the circumstances whether the applicant would normally be eligible for appointment to the post at the time of entry into service had his age been correctly stated and what would have been its effect on his service and Slum Clearance Board may permit the alteration subject to such conditions as they may deem fit to impose.

(e) The procedure laid down in sub-rules (a) to (d) shall be followed also in case where alteration of date of birth is proposed suo-moto by the Head of Office on the basis of medical opinion, in the absence of any other authoritative records.

39. Furnishing of security deposit in a particular class or category of a service. -

If shall be open to the Chairman, Slum Clearance Board to direct, by means of a general or special order that a person either before or after he is appointed to a particular class or category of a service shall furnish security for a specified amount. The amount of security and the manner of taking it shall be given in the order. No person shall be appointed to any class or category unless he furnishes security in accordance with the said order.

40. In respect of matters relating to conditions of service, pay, increments, leave, leave salary, etc., every member of a service shall as nearly as possible be governed by the provisions in the Fundamental Rules and the Subsidiary Rules there under of the Government of Tamil Nadu and the Tamil Nadu Leave Rules, 1933, Manual of special pay and allowances, Tamil Nadu Treasury Service Rules and amended from time to time applicable to Government Servants under the powers assigned to Government under the Fundamental Rule shall be exercised by the Board and that the powers assigned to the Head of the Department in the said rules shall be exercised by the Chairman.

41. In matters in respect of which no provision has been made in the rules, every member of a service shall as nearly as possible be governed by the Provisions applicable to Government servants status and standing.

42. Term, and Conditions of service of the deputationists. - (a) Nothing contained in these rules shall apply to persons who are appointed to hold posts in Tamil Nadu Slum Clearance Board by deputation from other services and they shall be governed by the terms and conditions of their deputation.

(b) Notwithstanding anything contained in these rules the appointing authority with the concurrence of the authority which sanctioned the deputation shall be competent to promote a deputationist to a category in the Board's service higher to the one to which he was first appointed and in respect of his services in that category he shall be governed by these rules but he shall not be entitled for appointment as full member in the category to which he has been promoted unless he resigns his post in the Department from which he was deputed.

43. Special Provisions in respect of member of Tamil Nadu Housing Board.-

(a) Notwithstanding anything contained in these rules, every member of the establishment of the Tamil Nadu Housing Board who was taken by the Slum Clearance Board, for appointment in the services of the Board, shall be deemed to have been appointed to the service, class or category thereof corresponding to the service class or category or which he was the member in the service class or category or which he was the member in the services of the Tamil Nadu Housing Board.

(b) No such person as aforesaid shall notwithstanding anything to the contrary in general rule to be discharged for want of a vacancy in preference to a probationer or approved probationer of any of the services of the Slum Clearance Board.

(c) In every other respect such member shall be governed by the provisions of these rules, and the special rules or if any of the conditions of their service in the Tamil Nadu Housing Board service were more advantageous to them then by such conditions of service.

¹**[44. Compulsory retirement.** - (1) Notwithstanding anything contained in this rule, the appropriate authority shall if it is of the opinion that it is in the public interest so to do, have the absolute right to retire any Board Servant by giving him notice of not less than three months in writing or three months pay and allowances in lieu of such notice, at any time after he has attained the age of fifty years or fifty five years in the case of Basic Servants, as the case may be, or after he has completed thirty years of qualifying service.

Explanation I. - Appropriate authority means, the authority which has the power to make appointments to the post or service from which the Board Servant is required to retire.

Explanation II. - For the purpose of this rule the three months' notice may be given before the Board Servant attains the age of fifty years (in the case of Basic Servant attains the age of fifty five years) provided that the retirement takes place after he has attained that age.

Explanation III. - In computing the prior notice period of three months, the date of service of the notice shall be included.

Explanation IV. - The power conferred on the "appropriate authority" under this rule may also be exercised by any higher authority.

(2) There shall be two reviews of the cases of officers for this purpose -

(a) The first review:

(i) Of the Board Servants, other than those belonging to Tamil Nadu Slum Clearance Board Basic Service, shall be done approximately six months prior to their attaining the age of 50 years or approximately six months prior to their completing 30 years of qualifying service, whichever is earlier;

(ii) Of the Board Servants under Basic Service shall be done approximately six months prior to their attaining the age of 55 years or approximately six months prior to their completing 30 years of qualifying service whichever is earlier.

(b) The second review:

(i) Of the Board Servants, other than those belonging to Tamil Nadu Slum Clearance Board Basic Service, shall be done approximately six months prior to their attaining the age of 55 years; and

(ii) Of the Board Servants under Basic Service shall be done approximately six months prior to their attaining the age of 58 years.

(c) Notwithstanding anything contained in sub-paragraphs (a) and (b) above, a review may be taken up at any time if no such review had been undertaken earlier with reference to sub-paragraphs (a) and (b);

(d) Notwithstanding anything contained in sub-paragraphs (a), (b) and (c) above, the Board shall have the right to review the case of any Board Servant belonging to any of the service at any time after the first or the second review, if it is of opinion that exceptional reasons such as the subsequent work, or the conduct, or the state of the physical health of the Board Servant justify that his earlier retirement is clearly desirable;

(3) Review Committee:

For the purpose of review of cases, the review Committee will consists of the following:

(1) Chairman : Chairman,
Tamil Nadu Slum Clearance Board

(2) Secretary : Secretary & Personnel Officer,
Tamil Nadu Slum Clearance Board

(3) Member: Deputy Secretary or Joint Secretary to
Government,

(4) Appeal to Government :

If the employee compulsorily retired desires to prefer a review petition to the Government such petition should be submitted to the Government within one month from the date of issue of order of compulsory retirement through the appropriate authority empowered to issue such order.

45. Voluntary retirement. - (a) Any Board Servant who has attained the age of fifty years or who has completed twenty five years of qualifying service, may retire from service by giving notice of not less than three months in writing to the appropriate authority.

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

Explanation I. - Appropriate authority means, the authority which has the power to make appointments to the post or service from which the Board Servant is required to retire or wants to retire.

Explanation II. - For the purpose of this rule, the period of notice shall commence from the date of its receipt by the appointing authority.

Explanation III. - The Board Servant desiring to retire under sub-rule (b) shall be given weightage upto five years in addition to the qualifying service rendered by him subject to the conditions that the total qualifying service after adding the weightage shall not exceed the qualifying service that he would have had if he had voluntarily retired under sub-rule (a) above. The weightage given under this sub-rule shall be an addition to the qualifying service for the purpose of calculating pension and gratuity only and it shall not entitle the Board Servant retiring voluntarily to any notional fixation of pay for the said purpose. The pension and gratuity shall be based on the actual emoluments on the date of retirement.

Explanation IV. - The notice of voluntary retirement given by a Board Servant under sub-rule (b) shall be accepted by the appointing authority, if the date of retirement on the expiry of such notice is earlier than the date on which the Board Servant concerned could have retired voluntarily under sub-rule (a) except where:

(i) disciplinary proceedings are contemplated or pending against the Board Servant concerned for the imposition of a major penalty; or

(ii) prosecution is contemplated or pending in a Court of law against the Board Servant concerned.

Explanation V. - The Board Servant shall be deemed to have been retired to in sub-rule (a) and (b) unless the appropriate authority or the appointing authority or any higher authority to the appropriate authority or appointing authority issues an order to the contrary before the expiry of the period of notice.

Explanation VI. - The Board Servant may withdraw the notice of Voluntary retirement subsequently with the approval of the appropriate authority or appointing authority as the case may be before the expiry of the period of notice referred to in sub-rule (a) and (b).

Explanation VII. - When a Board Servant under suspension or against whom disciplinary action is pending, seeks to retire voluntarily under this rule, the specific permission of the appropriate authority for such voluntary retirement is necessary. The appropriate authority or appointing authority may withhold the permission sought for by the Board Servant.

SCHEDULE

MINIMUM GENERAL EDUCATIONAL QUALIFICATION

(Referred to in rule 10.)

A candidate must - (a) either have obtained a completed Secondary School - Leaving Certificate issued under the authority of the Government of Tamil Nadu; and

(1) If such certificate was obtained in pursuance of the revised Secondary School-Leaving Scheme introduced by G.O. No. 1636, Law (Education), dated the 3rd August 1929, the certificate must show that the candidate has obtained at the public examination not less than the percentage of marks specified below in the subjects under Group 'A' and not less than 35 percent in one of the subjects, in Group 'C'

GROUP 'A'

	Percent
English	40
A language	40

GROUP 'C'

Elementary Mathematics	35
Elementary Science	30

Provided that a candidate belonging to the scheduled Castes or Scheduled Tribes shall, if he has obtained not less than 35 percent in English and in the language in Group "A" and not less than the percentage of marks specified above in the other subjects under that Group and 35 percent in one of the subjects under Group 'C' be eligible for appointment to any Subordinate Service.

(2) If such certificate was obtained in pursuance of the Secondary School-leaving Certificate Scheme which was in operation before the revised scheme referred to in sub-clause (1) the certificate must show that the candidate has obtained at the Public Examination not less than 35 percent of the marks in each of the subjects in Group 'A' and in each of two subjects in Group 'C'

(3) If such certificate was obtained in pursuance of the scheme for the re-organisation of Secondary Education introduced by G.O. No. 1394, Education, dated the 29th May 1943, the certificate must show that the candidate has obtained at the Public Examination not less than the percentage of marks specified in column (2) of the table below against the subjects referred to in column (2) thereof :-

TABLE

(1)		(2)
I. Academic Courses -		
1.	First Language - Part I and II	40 (80 marks out of 200).
2.	English	40
3.	Mathematics (General or Composite)	
4.	Social Studies	35 each in any two of the subjects and 30 in the third.
5.	General Science	

Table - Contd.

(1)		(2) (percent)
II. Secretarial Courses -		
1.	First Language - Part I	40
2.	English	40
3.	Commercial Arithmetic	
4.	Social Studies	35 each in any two of the subjects and 30 in the third
5.	Drafting Precis-Writing and Typewriting.	

6. Two of the following Practice.

(i) Commercial Practice.

(ii) Shorthand

(iii) Book-keeping.

III. Pre-Technological Course -

A. ENGINEERING -

1.	First Language -Part 1	40
2.	English	40
3.	Mathematics (General or Composite)	
4.	Social Studies	35 each in any two of the subjects and 30 in the other three
5.	Science and Drawing	
6.	Applied Science and Practical	

B. AGRICULTURE OR ANY OTHER SUBJECT -

1.	First Language -Part 1	40
2.	English	40
3.	Mathematics (General or Composite)	
4.	Social Studies	35 each in any two of the subjects and 30 in the other three
5.	Agriculture	
6.	Elementary Science and Practical	

TABLE - Contd.

(1)

(2)

Percent

III. Pre-Technological Course - Contd.

C. TEXTILE TECHNOLOGY -

1.	First Language - Part 1	40
2.	English	40
3.	Mathematics (General or Composite)	
4.	Social Studies	35 each in any two of the subjects and 30 in the other three
5.	Handloom (Written and Practical)	
6.	Dyeing and Printing (Written and Practical)	

IV. Aesthetic and Domestic Course (the Course consists of three parts)-

Part I -

First Language - Part I	40
Part II -	
English	40
In each of the other two Subjects under Part II	30 in each.

If additional language is taken under this part, the candidate should obtain a total number of 80 marks in that language and in Part I of the First Language put together. If General Science or Social Studies is taken as a subject under this part 35 per cent should be obtained in that subject.

Part III -

Any one subject under this part 30

V. Teaching Practical Courses-

1.	First Language - Part I	40
2.	English	40
30	3. Mathematics each in the other three	35 in any one of the subjects and (General or Composite)
	4. General Science	
	5. Social Studies	
	6. Teaching Practice	

Provided that in the case of a of acandidate belonging to the Schedule Tribes, it shall be, sufficient if he has obtained not less than 35 percent in English, not less than 35 percent in Part one of the First Language or 70 marks out of 200 when both Parts I and II of the First Language are taken, as the case may be and not less than the percentage of marks specified in the table above in other subjects.

(4) If such certificate was obtained in pursuance of the Reconganised Scheme Education introduced in 1959, the certificate must show that the candidate has obtained at the Public Examination not less than the percentage of marks specified in column (2) of the table below against the subjects referred to in column (1) thereof: -

TABLE

(1)	(2) PERCENT
I. Academic Course -	
1. Language under Part I	40(80 marks out of 200).
2. Language under Part III	40
3. General /Composite Mathematics	35 in any one of the subjects and 30 in the third
4. General Science	
5. Social Studies	
II. Diversified Course -	
A. ENGINEERING COURSE	
1. Language under Part I	80 marks out of 200
2. Lahguage under Part III - (English).	40.

	3.	Composite Mathematics	
30	4.	Engineering Paper I	35 in any one of the subjects and in the other subjects.
	5.	Engineering Paper II	
	6.	Engineering Paper III	
	7.	Engineering Practicals	

TABLE - Contd.

	(1)	(2)	PERCENT
	II	Diversified Course -Contd.	
	B.	TEXTILE TECHNOLOGY COURSE -	
	1.	Language under Part I	40 (80 marks out of 200).
	2.	Language under Part II -(English)	40
	3.	General/Composite Mathematics	
30 subjects.	4.	Science	35 in any one of the subjects and each in the other
	5.	Textile Technology, Paper I	
	6.	Textile Technology, Paper II	
	7.	Textile Technology Practical	
	C.	AGRICULTURE COURSE -	
	1.	Language under Part I	40(80 marks out of 200)
	2.	Language under Part II - (English)	40
30 subjects.	3.	General Mathematics	35 in any one of the subjects and each in the other
	4.	General Science	
	5.	Agriculture (Theory)	
	6.	Agriculture (practicals)	
	D.	SECRETARIAL COURSE -	
	1.	Language under part I	40 (40 marks out of 200).
	2.	Language under Part III -(English)	40
	3.	General Mathematics	
and subjects.	4.	General Science	35 in any one of the subjects 30 each in the other
	5.	Typewriting	
	6.	Secretarial Practice	
	7.	Book-keeping or Short-hand	
	8.	Civics and Commercial Geography	

Table Contd.

(1)	(2)
PERCENT	
II. Diversified Course-Contd.	
E. HOME SCIENCE	
1. Language under Part I	40 (80) marks out of 200)
2. Language under Part III - (English)	40
3. General Mathematics	
4. General Science	35 in each of the subjects
5. Social Studies	
6. Home Science (Theory)	
7. Home Science (Practical).	
F. DRAWING AND PAINTING -	
1. Language under Part I	40 (80 marks out of 200).
2. Language under Part III - (English)	40
3. General Mathematics	
4. General Science	
5. Social Studies	35 in each of the subjects
6. Drawing	
7. Painting	
G. MUSIC -	
1. Language under Part I	40 (80 marks out of 200).
2. Language under Part III - (English)	40
3. General Mathematics	

4.	General Science	35 in each of the subjects
5.	Music (Practical)	
6.	Music (Theory)	
7.	Music (Practical)	

Provided in the case of the candidate belonging to the Schedule Casts or Schedule Tribes, its shall be sufficient if he has obtained not less than 35 percent in English and 35 Percent in Language under Part I or 70 marks out of 200 when both papers I and II of the language under Part I are taken as the case may be, and not less than the percentage of marks specified in the Table above in the other subjects.

Note:- (i) The certificate of pupils who have been exempted form Vernacular Composition and Translation in Group "A" will not be considered incomplete because they contain no entry under that subject.

(ii) A pass in a Government Technical Examination will be regared as equivalent to obtaining 35 percent of the marks in the corresponding subjects in the Secondary School-Leaving Certificate Public Examination; for this purpose wherein the latter Examination, the technical subjects comprises two subjects in the Government Technical Examination, passes in atleast the lower grade are required on both the subjects in the Government Technical Examination.

(iii) A pass in a part of the Intermediate Examination in Arts and Science or the Pre-University Examination of any University or Institution recongnized by the University Grants Commission for the purpose of subjects in the Secondary School-Leaving Certificates Public Examination.

(iv) A candidate who appeared for the Secndary School-Leaving Certificate Examination under the 1939 scheme and failed to obtain the minimum marks prescribed for the minimum general educational qualification in sub-cause (1) of clause (a) can appear for the Re-organised Scheme of Secondary Education in the corresponding subjects in the Academic Course given below and obtain the minimum marks prescribed against each subject in the table below.

OLD SCHEME	NEW SCHEMES (Academic Course)
1. Language.	1. First Language.

2. English.	2. English.
3. Elementary Mathematics.	3. Mathematics.
4. Elementary Science.	4. General Science.
5. History and Geography.	5. Social Subjects.
6. Optional subjects.	6. No corresponding subject.

He shall be deemed to possess the minimum general educational qualification if he has obtained the minimum percentage of marks prescribed for the first five subjects in the old scheme or the minimum percentage of marks prescribed for corresponding subjects specified above in the new scheme and in lieu of the prescribed percentage in the optional of marks in Composite Mathematics under the new scheme or a pass in any one of the subjects for Government Technical Examinations by the Lower Grade which need not necessarily be as corresponding subjects; or

(v) If such certificate was obtained in pursuance of the revised pattern of School Education introduced in 1966 in G.O. Ms. No. 1386, Education, dated the 21st July 1966, the certificate must show that the candidate has obtained at the Public Examination not less than 40 percentage of marks in each of the subjects under Groups B and C.

Provided that in the case of a candidate belonging to the Schedule Casts or Schedule Tribes, it shall be sufficient if he has obtained not less than 35 percent of marks in each of the subjects under Groups A, B and C.

(b) (1) have obtained a Completed European School-Leaving Certificate or a completed Anglo-Indian School-Leaving certificates issued under the authority of the Government of Tamil Nadu, with either Tamil, Telugu, Malayalam, Kannada, Hindustani, or Hindi as his compulsory second language and secured at the European High School Examination or the Anglo-Indian School-Leaving Certificate Examination not less than the percentage of marks specified below in the subjects in Group 'A' and not less than 35 percent in each three subjects in Group.

GROUP A

English	40
Elementary Mathematics	35
A Language or	30

(2) have passed the Anglo-Indian High School Examination under the New Scheme held from November 1962; or

(3) have passed the Matriculation Examination of any University or Institution recognised by the University Grants Commission for the purpose of its grant: or

(4) have obtained the post Basic (Higher) Certificate with not less than the following percentage of marks specified against each subject:-

1.	Regional Language	40 percent in each subject
2.	English	35 percent in the case of schedule Castes and Scheduled Tribes.
3.	Mathematics	
4.	Social Studies	35 percent in any two subjects and 30 percent in the third subject.
5.	General Science	

Note:- The following shall be regarded as equivalent to the minimum general educational qualification prescribed in the Schedule to the General Rules, for the State and Subordinate Service:-

(1) Indian Army Special Certificate of Education.

(2) A pass in the Higher Education Test of the Royal Indian Navy.

(3) A pass in the Anglo-Vernacular School-Leaving Certificate Burma Examination.

(3-A) A pass in the Burma High School Final Examination:

(4) A pass in the Post-War School-Leaving Certificate Examination of Burma, Provided that the percentage of marks noted below against each subject:-

English	40 Percent
Mathematics	30 Percent

Two other subjects (other than Burmese) 35 each and that the candidate possesses an adequate knowledge of one of the regional language of the State of Tamil Nadu.

(4-A) A pass in the Pro-War Anglo-Vernacular School-Leaving Certificate Examination of Burma provided the candidate has obtained in the said examination the percentage of marks below against each subject:-

(1)	(2) PERCENT
English	40
Mathematics	30
Two other subjects (other than Burmese)	35 each

and that the candidate possesses an adequate knowledge of one of the regional language of the State of Tamil Nadu.

Provided that items (4) and (4-A) shall with effect from the 30th November 1957, be deemed to have effect as if the words and that the candidate possesses and adequate knowledge of one of the regional language of the State of Tamil Nadu has been omitted.

(5) A pass in the Entrance Examination of the Shreemathi Nathibai Domothar Thackersay Indian Women's University, Bombay;

(6) A pass in the Matriculation Examination of the Tangoon University;

(7) A pass in the English School-Leaving Certificate Examination (renamed S.S.L.C Examination since 1952) of the Travancore area under the modified scheme introduced in 1951 in case where candidates have obtained not less than the following percentage of marks:-

(1)	(2) PERCENT
English	40
of candidates belonging to any of the scheduled Castes or Scheduled Tribes.	35 percent in the case or
Second Language	30
Other Subjects	35

(7-B) A completed Secondary School-Leaving Certificate (x Standard) of the Kerala State held prior to the New Scheme in 1964 with not less than the following percentage of marks in the various subjects at the Public Examination: -

(1)	(2)
	PERCENT
English	40
belonging to any of the scheduled Castes or Scheduled Tribes.	35 percent in the case of candidates belonging to any of the scheduled Castes
Regional Language	40
Other Subjects (excluding Hindi)	35

(8) A pass in the Pre 1949 English School-Leaving Examination of the integration Travancore State in cases where candidates have obtained not less than the following percentages of marks: -

(1)	(2)
English	40
candidates belonging to the scheduled or Scheduled Tribes.	35 percent in the case of any of the scheduled Castes
Elementary Mathematics	30
History Mathematics	35
Elementary Science	35

(9) A pass in the Secondary School Certificate Examination conducted by the Government of Bombay (under revised Scheme, 1951) provided that the percentage of marks obtained at the percentage of the marks prescribed in the Schedule for the corresponding subject in the Madras S.S.L.C Examination.

(10) A pass in the Admission Examination of the Banaras Hindu University.

(11) A pass in the Advanced Calss (Indian Navy) Examination held in or before 1954.

(12) A certificate granted by the East Bengal Secondary Education Board, Dacca, in any of the following three examinations conducted by it: -

- (i) Matriculation Examination.
- (ii) High Madrasah Examination.
- (iii) School Final (Science side) Examination.

(13) A pass in the Vidyavinodini Examination of the Prayag Mahila Vidayapitha, Allahabad, provided the candidate has taken 'Advanced English' as one of the optional subjects.

(14) A completed Cochin Secondary School-Leaving Certificate with not less than the following percentage of marks in the various subjects at the public examination: -

(1)	(2)
	PERCENT
English	40
case	35 percent in the
candidates belonging	of
of the scheduled	to any
or Scheduld Tribes.	Castes
Elementary Mathematics	30
History and Geography	35
Outline of Modern History and	35
History of England and Geography	
Elementary Science	30
One Optional subject	30

(15) A pass in the Oriental School-Leaving Certificate Examination, provided that the candidate has obtained the percentage of marks noted below against each subject: -

(1)	(2)
	PERCENT

1.	English	40	40
2.	Modern Knowledge or another language		30
3.	Social Studies		35
4.	Main Language		40

(16) A pass in the Technical High School Certificate Examination conducted by the State Board of Technical Education and Training, Madras in one sitting.

APPENDIX A
Register of Probationers
(Vide Rule 21)

1.	Service	
	Category	
2.	Name of Probationer	
3.	Date of appointment to the service, class or category.	
4.	Period of probation prescribed years on duty within a continuous period of years.	
5.	Probable date of completion of probation.	
6.	Tests, if any, to be passed during probation.	
7.	Tests.	date of passing particulars of notification regarding passing.
8.	Period of service in which class or category or in the higher category which counts for probation in the category in question.	

Name of office	Post held	From	To	period acted	Running total
				Y M D	Y M D

9. Particulars of orders passed regarding completion of probation

APPENDIX B

Probation sheet

1. Service
category
2. Name of Probationer
3. Date of appointment to the service,
class or category.
4. Period of probation prescribed years
on duty with a continuous period of years.
5. Tests, if any, to be passed during
probation

authority

Signature of the appointing

Designation

6. Test passed
Tests Date of passing Particulars of notification
regarding passing.

7. Period of service in such class or category or in the higher category which
counts for probation in the category in question.

Name of office	Post held	From	To	period acted	Running total
				Y M D	Y M D

PART III - SPECIAL RULES

A. THE TAMIL NADU SLUM CLEARANCE BOARD

NON-TECHNICAL OFFICERS SERVICE

RULES, 1972

1. These rules shall be called the Tamil Nadu Slum Clearance Board Non-Technical Officers Service Rules, 1972.

2. Constitution.- The service shall consist of the following categories of posts, namely: -

Category	1	Secretary to the Slum Clearance Board
Category	2	Chief Revenue Officer.
Category	3	Senior Accounts Office.
Category	4	Assistant Secretary
Category	4-A	Public Relations Officer
Category	5	Accounts Officer

3. Method of appointment.- Appointment to the category mentioned in column (1) of the Table below shall be made in the manner specified in the column (2) thereof

1. Amended by G.O. No. 299, Housing & Urban Development. SC - 2, 2nd July 1996. Published in part III-Sec. 1(A) No. 37, Dt. 25.9.1996.

2. Amended by G.O. No. 223, Housing & Urban Development Published in 2nd June 1999, the Gazette Part III Section 1 (A) dated 30th June 1999 No. 25.

TABLE

(1)	(2)
CATEGORY 1- Revenue Secretary to the Nadu Slum Clearance Board	(i) By appiontment of the rank of District Officer in the Category of 1 of the Tamil Civil Service (Executive Branch) on foreign service terms: or (ii) By appiontment of a Deputy Secretary to Government of the Class XII of the Tamil

Nadu General Service on Foreign service terms; or

- (iii) By promotion from Category 2 Chief Revenue Officer

CATEGORY 2-

Chief Revenue Officer.

- (i) By appointment by transfer from the holders of the Posts in Category 2 of the Tamil Nadu Slum Clearance Board Non-Technical Subordinate Service; or
- (ii) By appointment of an Officer of the rank of Deputy Collector in Category 2 of the Tamil Nadu Civil Service [Executive Branch] on foreign service terms.

CATEGORY 3-

Senior Accounts Officer.

- (i) By appointment of an Assistant Accounts Officer of the Service on Foreign service Treasuries and Accounts service on foreign service; or
- (ii) By appointment of an Assistant Accounts Officer, of the Accountant General's Office of the Government of India Preferably who is conversant with 'Works Audit' on deputation/

CATEGORY 4 -

Assistant Secretary

By Appointment of an Assistant Director of Statistics of the Tamil Nadu Statistics Services on foreign service terms.

CATEGORY 4A-

Public Relation Officer

- (i) By transfer from Categories 3 and 4 ; or
- (ii) By recruitment by transfer from category 2 of the Tamil Nadu Slum Clearance Board Non-Technical Subordinate service; or

(iii) By appointments on deputation of Public Relation Officer of the Information Department on foreign service terms and conditions.

- 1 Substituted by G.O. Ms. No. 1018, Housing and Urban Development dated 12th November 1982.
2. Amended by G.O. No. 299, Housing & Urban Development. SC - 2, 2nd July 1996. Published in part III-Sec. 1(A) No. 37, Dt. 25.9.1996.

TABLE - Contd.

CATEGORY 5

Accounts Officer	Recruitment by transfer from the Category 1 Divisional Accountant of the Tamil Nadu Slum Clearance Board Non-Technical Subordinate Service.
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4. **Appointing Authority.-** Appointments to the categories mentioned in column (1) of the table below shall be made by the authority mentioned in column (2) thereof

TABLE

(1)	(2)
Category 1	State Government
[CATEGORIES 2, 3, 4, 4-A and 5]	Slum Clearance Board

²[***]

5. **Qualifications regarding age.-** No person shall be eligible for appointment to Category 5 if he has completed 45 years of age.

¹[(a) No person shall be appointed to Category 5 Accounts Officer unless he has put in a minimum of five years of service in the post of Divisional Accountant.]

³[6. **probation.-** Every person appointed to any of the category of this service, otherwise than on foreign service terms, shall be on probation for a total period of two years on duty within a continuous period of three years:

provided that it shall not be necessary for persons promoted from the lower category to the next higher category of the service to undergo probation except in cases where supervisory functions are attached to the categories, in which

1. Added by G.O. 223, Housing & Urban Development, 2nd June 1999.

2. Omitted by G.O. Ms. No. 1018, HOusing and Urban Devlopment, dated 12th NOvember 1982.

3. Substituted byG.O. Ms. No. 179, Housing and Urban Development, dated 13th March , 1981.

causes the person promoted shall be on probation for a total period of one year within a continuous period of two years.

7. **Pay.-** There shall be paid to every person holding a post, in the categories mentioned in column (1) of the Table below a monthly pay calculated in accordance with the scale show in column (2)

TABLE

(1)		(2)
CATEGORY OF THE POST		SCALE OF PAY
1.	Secretary to the Board	Rs.1,050 - 50 - 1,450
2.	Chief Revenue Officer	Rs. 575 - 25 - 600 - 40 - 1,000
3.	Senior Accounts Officer	Rs. 575 - 25 - 600 - 40 - 1,000
4.	Assistant Secretary	Rs. 575 -25 - 600 - 40 - 1,000
¹	[4-a.Public Relations Officer	Rs. 2200 -75 - 2800 - 100 - 4,000]
²	[5. Accounts Officers	Rs. 8000 - 275 - 13,500]

1. Added by G.O. No. 299, Housing & Urban Development, 2nd July, 1996.

2. Added by G.O. No. 223, Housing & Urban Development, 2nd June, 1999.

B.TAMIL NADU SLUM CLEARANCE BOARD

ENGINEERING OFFICERS SERVICE RULES,1972

1. These rules shall be called the Tamil Nadu Slum Clearance Board Engineering officers Service Rules, 1972.

2. **Constitution.-** The service shall consist of the following categories of posts, namely: -

CATEGORY	1	Chief Engineer
CATEGORY	2	Superintending Engineer

[CATEGORY	2A	Senior Planner]
CATEGORY	3	Executive Engineer
[CATEGORY	3A	Deputy Planner]
CATEGORY	4	Assistant Engineer
CATEGORY	5	Assistant Exe Engineer (Planning)
[CATEGORY	5A	Assistant Planner]
CATEGORY	6	Junior Engineer
[CATEGORY	7	Junior Architect
[CATEGORY	8	Planning Assistant (Grades A & B)]

3. **Method of Appointment.-** Appointment to the categories shown in column 1 of the table, below shall be made by the method given in column 2 thereof.

1. Interested by G.O. Ms. No.576. H & U. D. dated 21st June 1995
2. Added by ibid

TABLE

(1)	(2)
-----	-----

CATEGORY 1-

- | | |
|----------------|--|
| Chief Enginner | <ul style="list-style-type: none"> (i) By promotion from Category 2; (ii) By appointment of a Chief Engineer in the Tamil Nadu Engineering Serivce or in the Tamil Nadu Highways Engineering Service on foreign service terms. |
|----------------|--|

CATEGORY 2 -

- | | |
|-------------------------|--|
| Superintending Engineer | <ul style="list-style-type: none"> (i) By promotion from Category 3, or (ii) By appointment of a Superintending Engineer of The Tamil Nadu Engineering Service or Tamil Nadu Highways Engineering Service on foreign service terms |
|-------------------------|--|

CATEGORY 2A

Senior Planner

By promotion from Category 3A

CATEGORY 3

Executive Engineer

- (i) By Promotion from Category; or
- (ii) By appointment of a Executive Engineer of The Tamil Nadu Engineering Service or Tamil Nadu Highways Engineering Service or in the Service of Local or an autonomous body on foreign service terms.

[CATEGORY 3A

Deputy Planner

- (i) By direct recruitment or
- (ii) By promotion from Category 5A; or

CATEGORY 4

Assistant Engineer

- (i) By promotion form category 5; or
- (ii) By transfer from Categories 1 and 2 of the Tamil Nadu Slum Clearance Board Technical Subordinate Service or
- (iii) By appointment of an Assistant Engineer of the Tamil Nadu Engineering Service of the Town Planning Service or in the Service of local or an autonomous body on foreign service terms on foreign service terms

CATEGORY 5

Assistant Executive

- (i) By promotion from category 6; or

Engineering (Planning)

- (ii) By transfer from Categories 1 and 2 of the Tamil Nadu Slum Clearance Board Technical Subordinate Service

(1)

(2)

[CATEGORY 5A

Assistant Planner

- (i) By direct recruitment; or
- (ii) By promotion from Category 8; or
- (iii) By appointment from any service of the Government or a local or an autonomous body on foreign service terms

CATEGORY 6

Junior Engineer

- (i) By direct recruitment; or
- (ii) for special reasons by appointment of Junior Engineers in the Tamil Nadu Engineering Subordinate Service; or Tamil Nadu Highways Engineering Subordinate Service or in the service of a local or an autonomous body on foreign service terms.

CATEGORY 7

Junior Architect

- (i) By direct recruitment; or

²[CATEGORY 8

Planning Assistant

- (ii) By recruitment by transfer from Category 3

(Grade A & B)

in the Tamil Nadu Slum Clearance Board. Technical Subordinate Service or from Category 6 in the Tamil Nadu Slum Clearance Board Technical Subordinate Service or from Category 1 in the Tamil Nadu Slum Clearance Board Work

Charged Establishment Service in the above order of preference or

- (iii) By appointment from any service of the Government or a local or an autonomous body on foreign service terms.

4. **Appointing Authority.-** Appointment to the categories specified in Column (1) of the Table below shall be made by the authority specified in column (2) thereof.

[THE TABLE

Category (1)	Appointing Authority (2)
1. Categories 1, 2 and 2A	Board subject to the approval of govt.
2. Categories 3, 3A, 4, 5 and 5A	Board
3. Categories 6, 7 and 8	Cheif Engineer

1. Inserted by G.O. Ms. No.576. H & U. D. dated 21st June 1995

2. Added by ibid. 3. Substituted by ibid.

5. (a) Recruitment to category 4 Assistant Engineer by promotion from Category 6 Junior Engineers and by transfer from the Tamil Nadu Slum Board Technical Subordinate Service shall be amde at the ratio of 3: 1 of the total number of vacancies.

(b) Recruitment to Category 6 shall be made against the Slum Clearance Board Technical Subordinate Service and the appointment of Junior Engineers and the Supervisors shall be made at the ratio of 3:1 of the total number of vacancies. The person appointed as Junior Engineer shall be paid his initial pay at Rs. 400 per mensum in the time scale of pay of the post as Supervisors.

[6.Qualification regarding age.- No person shall be eligible for appointment to Categories 3A, 5A, 6, 7, and 8 by direct recruitment if he completed or will complete the age of thirty years on the 1st July of the year in which the selection for appointment is made.]

7. **Special Qualification.-** No person shall be appointed to the category mentioned in column (1) of the table below unless he possesses the qualification mentioned in column (2) thereof.

²**[Explanation.-** The prescribed qualification relating to passing of the Special Department Tests may be related by the Board with the prior approval of the Government in favour of those persons who satisfy the following criteria wise to enable them to be appointed to the respective post on a regular basis-

- (i) that they should not be less than 50 years of age;
- (ii) that they should not have made atleast five attempts to pass the tests; and
- (iii) that their record of services should be such as to merit the concession.]

TABLE

(1)	(2)
CATEGORY 1	
Chief Engineer	<ol style="list-style-type: none"> 1. All qualification prescribed for category2; and 2. [minimum period of 5 years of services as Superintending Engineer]
CATEGORY 2	
Superintending Engineer	<ol style="list-style-type: none"> 1. All qualification prescribed for category 3; and 2. A minimum period of 5years of services as Executive Engineer
CATEGORY 2A	
Senior Planner	<p>For promotion from Category 3A;</p> <ol style="list-style-type: none"> (i) Service for a period of not less than two years in Category 3A with Associate Membership of the Institute of TownPlanners (India) or Master of Town Planning of an University recongnised by the University Grants Commsission for the purpose of its grants; or

- (ii) Service for a period of not less than three years in Category 3A with a post graduate diploma in Town and Country Planning awarded by the State Board of Technical Education and the Board of Technical Education Training, Madras; or
- (iii) Service for a period of not less than five years in Category 3A with a degree in Bachelor of Architect of an university recongnized by the University Grants Commission for the purpose of its grants or an Associate of the Indian Institution of Architect.

CATEGORY 3

Executive Engineer

- 1. All the quaslification prescribed services as Assistant Engineer
- 2. A minimum period of 5 years service as Assistant Engineer

1. Inserted by G.O. Ms. No. 650, HOusing & Urban Devpt, SC.27th October 1994.

2. Inserted by G.O. Ms. No. 576, Housing & Devpt, dated 21st June 1995.

TABLE - [Contd.]

(1)	(2)
CATEGORY 3A	(1) For direct recruitment
Deputy Planner	(i) Must possess a post graduate degree in Town and Country Planning of an University Grants Commission for the purpose of its grants or post graduate diploma in Town and Country Planning Awarded by the School Architectural Planning at New Delhi which qualifies a person for award of Associate Membership of the Institute Town Planners (India);

- (ii) Must have passed all the examinations conducted by the Institute of Town Planners (India) for becoming its Associate Member; or
- (iii) Must possess a post graduate degree or post graduate diploma in Housing or Urban and Regional Planning of an University recognized by the University Grants Commission for the purpose of its grants; and
- (iv) Service for a period of not less than five years in a post equivalent to that of Category 5-A in the Board's service or any service of the Government or Quasi Government.

(2) For promotion from Category 5-A:

- (i) Service for a period of not less than three years in Category 5-A with Associate Membership of the Institute of Town Planners (India) or Master of Town Planning of an University recognized by the University Grants Commission for the purpose of its grants; or
- (ii) Service for a period of not less than five years in category 5-A with a degree in Bachelor of Engineering (Civil) or Bachelor of Architect of an University recognised by the University Grants Commission for the purpose of its grants or an Associate of the Indian Institute of Architect

1. Inserted by G.O. Ms. No. 576, Housing and Urban Development, dated 21st June 1995

TABLE - [Contd.]

CATEGORY 4

Assistant Engineer

1. For promotion-

All the qualification prescribed for (a) category 5; and minimum period of service of 5 years as Junior Engineer.

2. For appointment by transfer from category 1 of the Tamil Nadu Slum Clearance Board Technical Subordinate Service.

(a) All the qualification prescribed for category 1 (Supervisor) of the Tamil Nadu Slum Clearance Board Technical Subordinate Service; and

(b) A minimum period of service of 10 years as Supervisor in the Tamil Nadu Slum Clearance Board Technical Subordinate Service.

3. For appointment by transfer from category 2 of the Tamil Nadu Slum Clearance Board Technical Subordinate service

(a) All qualification prescribed for category 1 (Supervisor) of the Tamil Nadu Slum Clearance Board Technical Subordinate Service; and

(b) A minimum period of service as Draughtsman Grade 1 for 10 years

CATEGORY 5

Assistant Executive
Engineer (Planning)**1. For Promotion-**

(a) All qualification prescribed for category 6 Junior Engineer and

- (b) Should possess experience in Town Planning Work in the making and designing of Town Planning Schemes for a period of not less than 3 years in any Municipality, Corporation, Town Planning Department, Housing Board or Slum Clearance Board.

2. For transfer from Category 1 of the Tamil Nadu Slum Clearance Board Technical Subordinate Service:-

- (a) All qualification prescribed for category 1 of the Tamil Nadu Slum Clearance Board Technical Subordinate Service; and
- (b) should possess experience in Town Planning Work in the Making and designing of Town Planning Schemes for a period of not less than 5 years in any Municipality, Corporation, Town Planning Department, Housing Board or Slum Clearance Board.

CATEGORY 5A

Assistant Planner

- (1) For direct recruitment:
 - (i) Must possess a post graduate degree in Town and Country Planning of an University recognised by the University Grants Commission for the purpose of its grants or post graduate diploma in Town and Country Planning awarded by the School of Architectural Planning at New Delhi which qualifies a person for award of Associate Membership of the Institute of Town Planners (India); or
 - (ii) Must possess Associate Membership of the Institute of town Planners (India)

with a degree in Bachelor of Engineering (Civil) or Bachelor of Architect of an University recognized by the University Grants Commission for the purpose of its grant.

1. Inserted by G.O. Ms. No. 576, Housing and Urban Development, dated 21st June 1995.

TABLE - [Contd.]

(1)	(2)
CATEGORY 5A	(2) For promotion from category 8:
Assistant Planner (Contd.)	<p>(i) Service for a period of not less than five years in category 7 of Category 8 with a degree in Bachelor of Engineering (Civil) or Bachelor of Architect of an University Grants commission for the purpose of its grants or an Associate; or</p> <p>(ii) Service for a period of not less than five years in Category 8 with Associate Membership of the Institute of Town Planners (India); or</p> <p>(iii) Service for a period of not less than seven years in Category 8 with a post graduate diploma in Town and Country Planning awarded by the State Board of Technical Education and Training Madras; or</p> <p>(iv) Service for a period of not less than ten years in category 8 with a diploma in Civil Engineering awarded by the State Board of Technical Education and Training, Madras; or</p> <p>(v) Service for a period of not less than ten years in Category 8 with a diploma in</p>

Architecture (Architectural Assistantship)
awarded by the State Board of Technical
Education and Training, Madras.

CATEGORY 6

Junior Engineer

- (a) Must possess the B.E. Degree (Civil) of the Madras or Annamalai University or any other University recognized by the University Grants Commission for the purpose of its grants; or
- (b) Must have passed sections A and b of A.M.I.E. (IND.) Examination with the following: -
 - (i) A pass in the Intermediate in Arts and Science or the P.U.C. Examination
 - (ii) Must have passed Geology under section B as an optional or Additional subject.

CATEGORY 7

Junior Architect

(1) For direct recruitment - GradeA

- (i) Must be a Bachelor of Architecture of a recognized University or must possess equivalent qualification; or
- (ii) Must have undergone training for not less than two years in a recognised school of architecture or possess experience of not less than two years in drawing office of Architects who are members of Associateship of the R.I.B.A., or I.A.A India.

CATEGORY 8

Planning Assistant
(Grade A and B)

(1) For Direct recruitment - Grade A

- (i) Must possess a degree in Bachelor of Engineering (Civil) of an University recognised by the University Grants

commission for the purpose of its grants'
or

- (ii) Must possess Associate Membership of the Institute of Engineering in Civil Branch; or
- (iii) Must possess a degree in Bachelor of Architect of an University recognized by the University Grants commission for the purpose of its grants; or
- (iv) Must possess Associate Membership of the Institute of Town Planners (India) or Institute of Architects of India; or
- (v) Must possess a post graduate diploma in Town and Country Planning awarded by the State Board of Technical Education and Training, Madras.

1. Added by G.O. Ms. No. 576, Housing & Urban Devpt, dt. 21st June 1995.

(1)	(2)
(CATEGORY 8 Planning Assistant (Grade A and B) (Contd)	Grade B (1) Must possess a diploma in Civil Engineering awarded by the State Board of Technical Education and Training, Madras: or Must possess a diploma in Architecture (Architectural Assistantship) Awarded by the State Board of Technical Education and Training, Madras. (2) For recruitment by transfer - Grade A and B Service for a period of not less than years in Category 3 or Category 4 or

Category 6 in the Tamil Nadu Slum Clearance Board Technical Subordinate Service or Category 1 of the Tamil Nadu Slum Clearance Board Work charge Establishment Service with a diploma in Civil Engineering or Architecture (Architectural Assistantship) awarded by the State Board of Technical Education and Training Madras.]

8. Probation.- Every person appointed to any of the category of this service, otherwise than on foreign service terms, shall be on probation for a total period of two years on duty within a continuous period of three years.

1. Added by G.O. Ms. No. 576, Housing & Urban Dept, 13th March 1995.

2. Subs. BY G.O. Ms. No. 179, Housing & Urban Devpt, 13th March 1981.

Provided that it shall not be necessary for persons promoted from the lower category to the next higher category of the service to undergo probation, except in cases where supervisory functions are attached to the categories in which case the person promoted shall be on probation for a total period of one year within a continuous period of two years.

9. Reservation of appointment.- The rule of reservation of appointment (General Rule 14) shall apply to first appointment to Category 6 (Junior Engineer) and to category 7 (Junior Architect).

10. Pay.- There shall be paid to every person holding a post in the categories mentioned in;

Column 1 of the Table below a monthly pay calculated in accordance with the scale shown in column (2) thereof.

TABLE

(1) CATEGORY	(2) SCALE OF PAY
1. Chief Engineer	Rs. 5,100-150-5,700
2. Superintending Engineer	Rs. 4,100-125-4,850-150-300
¹ [2A. Senior Planner	Rs. 4,100-125-4,850-150-5,300

3.	Executive Engineer	Rs.3,000-100-3,500-125-4,500
¹ [3A.	Deputy Planner	Rs.3,000-100-3,500-125-4,500
4.	Assistant Engineer	Rs. 2,000-60-2,300-75-3,200
5.	Asst.Engineer Planning	Rs.2,000-60-2,300-75-200
¹ [5A.	Assistant Planner	Rs.2,200-75-2,800-100-4,000]
6.	Junior Engineer	Rs. 1,640-50-2,600-75-2,900
7.	Junior Architect	Rs. 1,640-50-2,600-75-2,900
¹ [Planning Assistant-Grade-A		Rs.2,000-60-2,300-75-3,200-100-3500
Planning Assistant-Grade B		Rs.1,640-60-2,600-75-2,900

1. Inserted by G.O. Ms.No. 576, Housing & Urban Devpt, dt. 21st june 1995.

12. savings.- Nothing contained in these rules shall adversely affect any person holding the post in categories 2A, 3A, 5A and 8 in the Tamil Nadu Slum Clearance Board Engineering officers Services on the 21st june 1995.

1. Added by G.O. Ms. No. 576, Housing & Urban Devpt, Dated 21st june, 1995

C. THE TAMIL NADU SLUM CLEARANCE BOARD

NON-TECHNICAL SUBORDINATE

SERVICE RULES, 1972

1. These rules shall be called the Tamil Nadu Service Clearance Board Non-Technical Subordinate Service Rules, 1972

2. **Constitution.-** The Service shall Consist of the following catogiores of posts namely.-

CATEGORY 1	Estate Officers and Vigilance Officers.
CATEGORY 2	Assistant Vigilance Officers.
CATEGORY 3	Manager (Circle Officer)
CATEGORY 4	Officer Assistant(Circle Office)
CATEGORY5	Divisional Assistant
CATEGORY 6	Superintendents (Accounts Section)
CATEGORY 7	Superintendents (Common Grade)
CATEGORY 8	Omitted
CATEGORY 9	Assistants, Upper Division Estate Inspectors and Cashier

CATEGORY 10	Junior Assistants, Record Keeper, Lower Division Estate Inspector and Shroffs
CATEGORY 11	Typists
CATEGORY 12	Steno-Typists
CATEGORY 13	Bill Collectors
CATEGORY 14	Junior Record Clerks
CATEGORY 15	Driver
CATEGORY 16	Board Photographer
CATEGORY 17	Dark Room Assistants
CATEGORY 18	Photographic Attenders.

3. Method of Appointment.- Appointment to the category mentioned in column (1) of the below shall be made in the manner specified in column (2) of the below thereof.

TABLE

(1)	(2)
CATEGORY 1	(i) By appointment of a Tahsildar in the Madras Revenue State Officers Subordinate Service on foreign service terms; or
and Vigilance Officers	(ii) By promotion from Category 7 Superintendents Common Grade)
CATEGORY 2 Assistant Vigilance Officer	(i) By appointment of a Deputy Tahsildar from the Madras Revenue Subordinate Service on foreign terms; or
	(ii) By transfer from category 7
CATEGORY 3 Manager (Circle Office)	By appointment of a Circle Office Manager of the P.W.D. in the Madras Ministerial Service on foreign service terms
Category 4 Office Assistants(i) (Circle Office)	By appointment of a Circle Office Assistant of the P.W.D. in the Madras Ministerial Service on foreign service terms; or
	(ii) By promotion from Category 9 who has passed the Account Test for P.W.D. Officers and Subordinates.
Category 5 Divisional Officer	By appointment of a S.A.S Accountant or Divisional Accountant of the Accountants General's Office, Governemnt of India having experience in "Works Audit" on Deputation; or
Category 6 Superintendent (Accounts Section)	By appointment of a S.A.S Accountant or Divisional Accountant of the Accountants General's Office, Governemnt of India having experience in "Works Audit" on Deputation; or
	(ii) By transfer from Category 7.
CATEGORY 7 Superintendents (Common Grade)	(i) By promotion from category 9; or
	(ii) By appointment of a Superintendent of the Tamil Nadu Ministerial Service or a Deputy Tahsildar in the Tamil Nadu Revenue Subordinate Service or a Superintendent in a local or an autonomous body on foreign service terms

CATEGORY 8 Personal Clerk to Chairman (Omitted)	Omitted
CATEGORY 9 Assistants, Upper Division Estate Inspectors and Cashier.	(i) By promotion from category 10; or (ii) By appointment of an Assistant in the Tamil Nadu Ministerial Service or in the service of a local or an autonomous body on foreign service terms,
CATEGORY 10 Junior Assistants, Record Keeper, Lower Division Estate Inspectors and Shroffs	(i) By direct recruitments; or (ii) For special reasons by appointment of a Junior Assistant in the Tamil Nadu Ministerial Service or in the service of a local or an autonomous body on foreign service terms, or (iii) By promotion from category 13; or (iv) By appointment of typists and Steno-typists who are qualified and suitable and who have satisfactorily completed the period of probation as Typists or Steno-typist as the case may be.
CATEGORY 11 Typist	(i) By direct recruitment; or (ii) For special reasons by appointment of a Typist in the Tamil Nadu Ministerial Service or in the Service of a local or an autonomous body on foreign service terms
CATEGORY 12 Steno - typist	(i) By direct recruitment; or (ii) For special reasons by appointment of a steno-typist in the Tamil Nadu Ministerial Service or in the service of a local or an autonomous body on foreign service terms.
CATEGORY 13 Bill Collectors	(i) Direct recruitment; or (ii) By appointment by [promotion] from category 14; or (iii) For special reasons by appointment of a Bill Collector in the service of a local or an autonomous body on foreign service terms.
CATEGORY 14 Record Clerks	(i) By direct recruitment; or (ii) By appointment by [recruitment, by transfer from category 1 and 4 of the Tamil Nadu slum Clearance Board, Basic Service in the ratio of 5:1.] By direct recruitment -
CATEGORY 15 - Driver	By direct recruitment
CATEGORY 16 Board Photographer	(i) By direct recruitment; or (ii) By appointment of a Photographer of a local or an autonomous body on foreign service terms.
CATEGORY 17 Dark Room Assistant	By direct recruitment or [By promotion from category 18.]
CATEGORY 18 Photographic Attenders	By direct recruitment.

4. Appointing Authority.- Appointment to the category specified in column (1) of the table shall be made by the authority specified in column (2) thereof:-

1. Subs. By G.O. Ms. No. 486, Housing & Urban Development, 5th June 1990.
2. Subs. By G.O. Ms. No. 62, Housing & Urban Development, 1st Feb, 1994.

3. Subs. By G.O. Ms. No. 260, Housing & Urban Development, 23rd June, 2000.

TABLE

(1)	(2)
CATEGORIES 1 to 7, 8A, 9 and 16	Chairman, Slum Clearance Board
CATEGORIES 10 to 15, 17 and 18	Selection shall be made by the Chairman and the appointment shall be made by the Secretary, Slum Clearance Board.

5. Qualification regarding age.- No person shall be appointed by direct recruitment if he has completed 30 years of age.

6. No person shall be appointed to any of the posts in the [categories 1 to 7, 8A, 9 to 13 and 16] unless he possesses the Minimum General Educational Qualification prescribed in the general rules. But if for appointment as Typists by direct recruitment candidate possessing that qualification are not available those not possessing that qualification may be appointed:

Provided that this rule shall not apply for appointment to category 13 Bill Collectors by Promotion from category of Junior Record Clerks.

7. Special Qualification.- No person shall be appointed to any category mentioned in column (1) of the Table below unless he possesses the qualification mentioned in column (2) thereof: -

1. Subs. By G.O. Ms. No. 299, Housing & Urban Development, SC(2), 2nd July, 1996.

[Explanation.- The prescribed qualification relating to passing of the Special Department Tests may be related by the Board with the prior approval of the Government in favour of those persons who satisfy the following criteria so as to enable them to be appointed to the respective post on a regular basis.

- (i) that they should not be less than 50 years of age;
- (ii) that they should not have made at least five attempts to pass the tests; and
- (iii) that their record of services should be such as to merit the concession.]

TABLE

(1)	(2)
CATEGORY 7 Superintendents (Common Grade)	For Promotion from Category 9. (a) All qualification prescribed for category 9, and (b) Should have passed the Accounts -Tests for Subordinate Officers, Part II.

CATEGORY 8	Omitted.
Personal Clerk to Chairman	

CATEGORY 9	(a)	Should have passed the Account Test for
Assistants -		Subordinate Officers Part 1 for appointment in
Upper Division Estate		all branches of the Slum Clearance Board, other
Inspectors, Cashier		than Divisional Officers and Account Test for
		Public Works Department office and subordinates
		for appointment in the Divisional Offices, and
		Circle Office and
		Should have put in a minimum period of service
		of 3 years in any of the class in category 10

1. Added by G.O. Ms. No. 59, Housing & Urban Development, dated 9th January, 1985

2. Substituted by G.O. Ms. No. 299, Housing & Urban Development, date 2nd July, 1996

TABLE - CONTD

(1)	(2)
CATEGORY 11	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 candidate with the qualification referred to in item (ii) above, shall be recruited only if candidates with the qualification referred to in item (i) above are not available: -
	Provided further that candidate with the qualification referred to in item (i) and (ii) above are not available;

TABLE - CONTD

(1)	(2)
CATEGORY 12	Must have passed the Government Technical

Steno - Typist

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 qualification referred to in item (ii) above, shall be recruited only if candidates with the qualification referred to in item (i) above are not available:-

Provided further that candidates with the qualification referred to in item (iii) above, shall be recruited only if candidates with the qualification referred to in item (i) and (ii) above are not available;

CATEGORY 13

Bill Collector

For appointments by promotion.- Should possess a minimum service of 2 years in the category of Junior Record Clerk.

CATEGORY 14

Record Clerk

1. **For direct recruitment.-** Should have studied upto and inclusive of the S.S.L.C.
2. **For recruitment by transfer.-** Should have put in a minimum period of service of 5 years in the category 1 and 4 of Tamil Nadu Slum Clearance Board Service.

CATEGORY 15

Driver

- (a) Must have passed VIII Standard of a recognized school;
- (b) Must possess a current motor vehicle license issued under the Motor Vehicles Act, 1939 (Central Act IV of 1939) and the rules made there under;
- (c) Must possess practical experience in driving motor vehicles for a period of not less than two years; and
- (d) Must possess an elementary Knowledge of auto-mechanism as is required by a driver in the opinion of the appointing authority.

CATEGORY 16 Board Photographer	For direct recruitment.- Should undergone training or served for two years in a photographic firm of repute or served the Government or local or an autonomous body as a photographer.
CATEGORY 17 Dark room Assistant	(a) Should have studied up to and inclusive of the highest class of secondary education and taken the S.S.L.C. examination in one or more attempts and (b) Should have undergone training in all branches of photography or served for two years as dark room Assistant in a photographic firm of repute or in the Establishment of a Government or local or autonomous body.
CATEGORY 18 Photographic Attenders	Should have passed the VIII Standard of a recognized school.

[8. Probation.- Every person appointed to any category this service, otherwise than on foreign service terms shall be on probation for a total period of two years on duty within a continuous period of three years.

Provided that it shall not be necessary for persons promoted from the lower category to the next higher category of the service to undergo probation, except in cases where supervisory functions are attached to the categories in which case the person promoted shall be on probation for a total period of one year within a continuous period of two years.]

9.Tests to be passed, training to be undergone or other qualification to be acquired by person appointed to the service.- (a) A member appointed as Typists or Steno-Typist (Tamil or (English) who has not passed the Government Technical Examination in Typewriting in English or Tamil as the case may be lower grade should pass that examination within the period of probation.

(b) Every person appointed to any of the posts in category should pass the District Office Manual Test conducted by the Board within the period of probation.

[Explanation.- The prescribed qualification relating to passing of the Special Departmental Tests may be relaxed by the Board with the prior approval of Government in favour of those persons who satisfy the following criteria so as to enable them to be appointed to the respective post on a regular basis.

1. Substituted by G.O. Ms. No. 179, Housing & Urban Development, dated 13th March 1981.

- (i) that they should not be less than 50 years of age;
- (ii) that they should have made atleast five attempts to pass the Tests; and
- (iii) that their record of service should be such as to merit the concession.

10. Recreation of appointments.- The rule of reservation of appointments (General Rule 14) shall apply to first ¹[***], 10, 11, 12, 13, 14, 15, 16, 17 and 18.

11. Pay.- There shall be paid to every person holding a post in the categories mentioned in Column 1 of the Table below in accordance with the scale shown in Column 2 thereof.

CATEGORY OF POST		SCALE OF PAY
(1)		(2)
1.	Estate, Officers and Vigilance Officers	Rs.425-20-525-25-700
2.	Assistant Vigilance Officers	Rs.350-15-500-200-20-600
3.	Manager (Circle Officer)	Rs.350-15-500-20-600
4.	Office Assistant (Circle Office)	Rs.350-15-500-20-600
5.	Divisional Accountants	(on deputation from Govt. on India)
6.	Superintendent (Accounts Section).	Rs.350-15-500-20-600
7.	Superintendents (Common Grade)	Rs. 350-15-500-20-600
8.	Omitted	Omitted
9.	Assistants, Upper Division Estate Inspectors and Cashier	Rs.350-10-400
10.	Junior Assistants, Record Keeper Lower Division Estate Inspectors	Rs.200-5-250-10-300
11.	Typists (plus spl. pay)	Rs. 200-5-250-10-300

12.	Steno-Typists (plus spl. pay)	Rs. 200-5-250-10-300
13.	Bill Collectors	Rs. 170-5-255
14.	Junior Record Clerk	Rs.110-3-155-1-175-5-210
15.	Driver	Rs.150-3-155-1-175-5-210
16.	Board Photographer	Rs.325-15-175-20-575-25-650
17.	Dark Room Assistants	Rs. 200(Consoildated pay)
18.	Photographic attenders	Rs. 110(Consolidated pay)

1. Omitted by G.O.Ms. No. 299, Housing & Urban Development SC 3(2), dated 2nd July 19

**D. TAMIL NADU SLUM CLEARANCE BOARD
TECHNICAL SUBORDINATE SERVICE RULES, 1972**

1. These Rules shall be called the Tamil Nadu Slum Clearance Board Technical Subordinate Service Rules, 1972.

2.Consitution - This service shall consist of the following categories of posts, namely:

Category 1	Supervisor
Category 2	Draughtsman Grade I
Category 3	Draughtsman Grade II
Category 4	Draughtsman Grade III
Category 5	Head Surveyor
Category 6	Surveyor
Category 7	Tracer
Category 8	Blue Print Operator
Category 9	Assistant Blue Printer.

3.Method of appointment.- Appointment to the category mentioned in Column 1 of the Table shall be made in the manner specified in column 2 thereof.

TABLE

(1)	(2)
CATEGORY 1	<p>(i) By direct recruitment; or</p> <p>(ii) By promotion from holders of posts in categories 3 and 4; or</p> <p>(iii) For special reasons by appointment of a Supervisor in Tamil Nadu Engineering Subordinate Service at Tamil Nadu Highways Engineering subordinate service or in the service of a local or an autonomous body on foreign service terms.</p>
CATEGORY 2 Darughzman Grade 1	<p>(i) By promotion from category 3; or</p> <p>(ii) By appointment of a Draughtsman Grade 1 of the Tamil Nadu Engineering Subordinate Service or Tamil Nadu Highways Engineering Subordinate service or the service of a local or an autonomous body on foreign service terms.</p>
CATEGORY 3 Draughtsman Grade II	<p>(i) By direct recruitment or</p> <p>(ii) By promotion from category 4 or</p> <p>(iii) By appointment of a Draughtsman Grade II in the Tamil Nadu Engineering Subordinate service or the service of a local or an autonomous body on foreign service terms.</p>
CATEGORY 4 Draughtsman Grade III	<p>(i) By Direct recruitment; or</p> <p>(ii) By appointment of a Draughtsman Grade III of the Tamil Nadu Highways Engineering Subordinate Service or the service of a local or an autonomous body on foreign service terms.</p>

	(iii)	By promotion or transfer of persons from other categories possessing the requisite qualifications.
CATEGORY 5	(i)	By promotion from category 6; or
Head Surveyor	(ii)	By appointment of a Head Surveyor in the Tamil Nadu Housing Board on foreign service terms.
CATEGORY 6		
Surveyor	(i)	By direct recruitment or
	(ii)	By appointment of a surveyor in the Tamil Nadu Housing Board on foreign service terms or
	(iii)	By promotion or transfer of persons from other categories possessing the requisite qualifications.
CATEGORY 7	(i)	By direct recruitment or
Tracer	(ii)	By promotion from category 1 or by appointment of a blue Print Operator in the Tamil Nadu Engineering Subordinate Service or in the service of a local or autonomous body on foreign service terms.
CATEGORY 8	(i)	By direct recruitment
Blue Print operator	(ii)	By promotion from category 1 or by appointment of a blue Print Operator in the Tamil Nadu Engineering Subordinate Service or in the Service of a local or autonomous body on foreign service terms.
CATEGORY 9		By direct recruitment
Asst. Blue Printer		

4. Appointing Authority.- Selection for appointment to all categories shall be made by the Chairman. Appointment to the Categories specified in column (1) of the Table below shall be made by the authority specified in column (2) thereof.

TABLE

Category 1.	Chief Engineer
Category 2 to 9.	Superintending Engineer

5. Qualification regarding age.- No person shall be eligible for appointment by direct recruitment to any of the posts in the service if he has completed [30] years of age.

1. Substituted by G.O> Ms. No.486, Housing & Urban Development, dated 5th June 1990.

6. Special qualification .- No person shall be appointed to any category mentioned in column (1) of the table below unless he possesses the qualifications mentioned in column (2) thereof.

(1)	(2)
CATEGORY	(i) Must possess the upper subordinate, Lower
Supervisor	subordinating or L C E Diploma of the college of Engineering Guindy or the L C E Diploma awarded by the Technological Diploma Board, Madras; or
	(ii) Must have passed sections A and B of the A. M. I. E. (Ind) Examination with "Geology" under section B as optional or additional subject; subject to the following conditions:-
	(a) Should furnish evidence of having undergone practical training in surveying for not less than one year; or
	(b) Should have put in a service of one year in the State Housing Board or the Public Works Departments or the Highways and Rural Works Departments as Overseer or Supervisor or any other institution acceptable to the appointing authority.

CATEGORY 2	(i) Should possess all qualifications prescribed for
Draughtsman	a category 4; (Draughtsman Grade III).
Grade 1.	(ii) Should have passed the L C E Diploma of College of Engineering. Guindy or the L C E Diploma awarded by the Technological Diploma Examination Board.
	(iii) Should have put in a minimum period of service of Draughtsman. Grade II for a period of 2 Years.
CATEGORY 3	(i) For Direct recruitment-
Draughtsman,	(a) Should possess all the qualifications prescribed for category4; and
Grade II	(b) Should have passed the L C E Diploma of College of Engineering. Guindy or the L C E Diploma awarded by the Technological Diploma Examination Board Madras.
CATEGORY 3.	(ii) For promotion-
Draughtsman,	(a) Should possess all the qualifications prescribed for category 4; and
Grade II.	(b) Should have put in a minimum service for a period of 5 years as Draughtsman. Grade-III in category 4.
(Contd.)	
Category 4	(i) Must possess the minimum general educational qualification; and
Draughtsman.	(ii) Must have passed the special examination for group certificate in the Tamil Nadu Government Technical
Grade III.	

Examination in Building, drawing
consisting on the following subjects: -

- (a) Building drawing and Estimating - Higher I Class.
- (b) Building drawing and Estimating -Higher I Class
- (iii) Applied Mechanics Higher II Class
- (iv) Geometrical Drawing-Lower II Class
- (v) Mensuration-Lower II class : or

Must have passed the Draughtsmanship
(Civil Course under the syllabus
(introduced from july 1952) conducted by
the Government of India. Ministry of
Labour.

Category 5

- (i) Should possess all the qualifications
required

Head Surveyor

for appointment to category 6(Surveyor);
and

- (ii) Should have put in a period of 3 years as
Surveyor in category 6

Category 6

- (i) Must possess the minimum general
educational
qualification; and

Surveyor

- (ii) Must have passed Deputy Surveyor.
Grade I test of the Survey and Land
Records Department. or

Must have passed the special
examination for group certificate in
surveying in the following subjects in the
Tamil Nadu Governemnt Technical
Examination. or

Must have passed National Trade Certificate/National Apprenticeship Certificate in the trade of Surveyor issued by the Industrial Training Institute Ambattur.

- (1) Surveying and Levelling-Higher
- (2) Earthwork and Road making -Lower
- (3) Mensuration-Lower, and
- (4) Geometrical Drawing and estimating-Lower : or. A pass in the Civil Engineering Group Examination conducted by the Board of Examination; Directorate of Technical education Madras in the following subjects: -

- (1) Applied Mechanics (Civil Branches);
- (2) Building Materials and Construction;
- (3) Survey theory;
- (4) Building, Drawing and Mensuration;
- (5) Earthwork and Estimating;
- (6) Elective Subjects -
 - (a) Sanitary Engineering; or
 - (b) Roads, Bridges and Railways.
- (7) Practical-Survey practical.

Must have passed National Trade Certificate / National Apprenticeship Certificate in the trade of Surveyor issued by the Industrial Training Institute, Ambattur.

CATEGORY 7

Tracer

- (i) Must have the following subjects by the Lower grade in the Tamil Nadu Government Technical Examination in.

- (1) Geometrical Drawing
- (2) Building, Drawing and Estimating and (3) Free hand outline and Model Drawing; or
- (ii) Must have passed the S S L C Examination under the authority of Government of Tamil Nadu with "Engineering" included as a special subject in the Bifurcated course in Secondary School: or
- (iii) A pass in the Civil Engineering Group Examination conducted by the Board of Examination; Directorate of Technical Education. Madras in the following subjects: -
 - (1) Applied Mechanics (civil Branch)
 - (2) Building Materials and Construction
 - (3) Survey Theory
 - (4) Building Theory and mensuration
 - (5) Earthwork and Estimating
 - (6) Elective Subjects
 - (a) Sanitary Engineering; or
 - (b) Roads, Bridges and Railways Irrigation.
 - (7) Practical - Survey Practical

Must have passed National Trade Certificate/ National Apprenticeship Certificate in the trade of Surveyor issued by the Industrial Training Institute . Amabattur.

CATEGORY 8

Blue Print Operator

1. For direct recruitment -

- (i) Should have passed VIII Standard or III Form of a recognized school; and

- (ii) Should have practical experience in Blue Printer work for a period of one year.

2. For promotion-

- (i) Should have passed VIII Standard or III Form of a recognized school; and
- (ii) Should have put in a minimum service of Assistant Blue Printer in category 9 for a minimum period of one year.

CATEGORY 9

Should have passed VIII Standard or III Form

Assistant Blue Printer.

of a recognized school

¹**[7.Probation.-** Every person appointed to any category of this service, otherwise than on foreign service terms shall be on probation for a total period of two years on duty within a continuous period of three years:

Provided that it shall not be necessary for persons promoted from the lower category to the next higher category of the service to undergo probation, except in cases where supervisory functions are attached to the categories, in which case the person promoted shall be on probation for a total period of one year within a continuous period of two years.]

8. Tests to be passed.- The Supervisor recruited direct or by promotion from Draughtsman, Grade II and III should pass the Account Test for Works Department officers and Subordinates within the period of probation.

[Explanation.- The prescribed qualification relating to passing of the Special Departmental Tests may be relaxed by the Board with prior approval of the Government in favour of those persons who satisfy the following criteria so as to enable them to be appointed to the respective post on a regular basis;

- (i) That they should not be less than 50 years of age.
- (ii) That they should have made at least five attempts to pass the tests; and
- (iii) That their records of service should be such as to merit the concession.]

9. Reservation of appointments.- The rule of reservation of appointments (General Rule 14) shall apply to first appointments to categories 1, 3, 4, 6, 7, 8 and 9.

10. Pay.- There shall be paid to every person holding a post in the categories mentioned in column (1) of the table below a monthly pay calculated in accordance with the scale shown in column (2) thereof.

1. Added by G.O. Ms. No. 59, Housing & Urban Development, 9th January, 1985.

TABLE

(1)	(2)
1. Supervisor	Rs. 325-15-475-20-575-25-650
2. Draughtsman, Grade I	Rs. 400-15-475-20-575-25-650
3. Draughtsman, Grade II	Rs. 325-15-550
4. Draughtsman, Grade III	Rs. 250-10-400
5. Head Surveyor	Rs. 300-10-350-15-500
6. Surveyor	Rs. 250-10-400
7. Tracer	Rs. 200-5-250-10-300
8. Blue Print Operator	Rs. 130-3-160-4-180-5-195.
9. Assistant Blue Printer	Rs. 130-3-160-4-180-5-195

¹[E. TAMIL NADU SLUM CLEARANCE BOARD

BASIC SERVICE RULES, 1972

1. These Rules shall be called the Tamil Nadu Slum Clearance Board [Basic Service] Rules, 1972.

2. Constitution.- The service shall consist of the following categories of posts, namely: -

Category 1	Roneo Operator Sevakhs, Cycle Messenger, Chairman Grade I and Social Survey Assistant.
Category 2	¹ [Basic Servants and Basic Servant-cum-Driver]
Category 3	Chairman, Grade II.
Category 4	Watchman]

3.Appointing Authority.- selection for appointment to all categories in this service shall be made by the Chairman and appointment shall be made by the Secretary to the Board.

1. Sustitued by G.O. Ms. No. 179, Housing & Urban Development, 13th March 1981.

2. Added by G.O. Ms. No. 59, Housing & Urban Development, 9th January, 1985.

4.Qualification.- Candidates for appointments by direct recruitment shall possess the following qualification: -

(a) Must have not completed 25 years of age; provided that the age limit shall not apply in the case of appointment of any person who have rendered war service:

[Provided further that no person shall be eligible for first appointment as watchman if he has not completed 25 years of age or has completed 40 years of age.]

(b) Must possess the qualification mentioned in column (2) of the table below for appointment to posts mentioned in column (1) thereof

TABLE

(1)	(2)
CATEGORY 1	Must have passed VIII Standard of a recognized
Roneo Operator, Sevakhs, Cycle Messenger, Chairman Grade I and Social Survey Assistant	school
CATEGORY 2	(a) Must have passed V Standard of a recognized
Basic servants and	school; and
Basic Servant-cum-driver	(b) Must possess a current motor vehicle licence issued under the Motor vehicle Act 1939 (Central Act IV of a 1939) and the rules made thereunder
CATEGORY 3	Must have passed V Standard of a recognized
Chairman, Grade II	school; and Must be able to ride a bicycle.

¹[CATEGORY 4

Must have passed VIII Standard or is equivalent

Watchman

& must be able to ride a bicycle [‘Y’ The person who possess experience in armed force provided should be given to the persons who possess experience in armed force.]

1. Ins.by G.O. Ms. No. 2123, Housing & Urban Development, dated 26th Nov, 1979.

2. Ins. by G.O. Ms. No. 743, Housing & Urban Development, 31st August, 1981.

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[4A. Security Deposit.- Candidate appointed to the post of Watchman must furnish a security deposit of Rs. 50 (Rupees Fifty only) in cash or by deduction from salary in 10 montlly instalments of Rs. 5/- (Rupees Five only) each.

5. Selection.-In selecting candidates by direct recruitment the follwoing order of preference shall be observed.

(1) Firstly, those who have rendered war service.

(2) Secondly, those retrenched from Government Departments, local and autonomous bodies.

(3) Thirdly, others.

6. Probation.- Every person appointed to a category shall be on probation for a total period of one year on duty within a continuous period of two years.

7. Age concession for discharged state Government Employees.- Notwithstanding anything contained in these rules, in the case of a discharged State Government employee, who has not completed 40 years of age and whose name is suggested by a local Employment Exchange for appointment to a vacancy in the Slum Board, Service with the State Government Whether continuous or non-continuous plus a grace period of three years shall be excluded in computing the age for appointment.

Explanation.- For the purpose of this rule, a discharged State Government employee is a person who was in the employment of the State for a continuous period of not less than six months and was discharged because of reduction in establishment or for any other reason (but not as a disciplinary measure) and who has registered his name at a local Employment Exchange for employment.

1. Added by G.O. Ms. No. 743, Housing & Urban Development, 31st August, 1981.

¹[8. Probation.- Every person appointed to any category of this service, otherwise than on foreign service terms shall be on probation for a total period of two years on duty within a continuous period of three years.

Provided that it shall not be necessary for persons promoted from the lower category to the next higher category of the service to undergo probation, except in cases where supervisory functions are attached to the categories in which case the person promoted shall be on probation for a total period of one year within a continuous period of two years.]

9. Pay.- There shall be paid to every person holding a post in the categories mentioned in column (1) of the table below a monthly pay calculated in accordance with the scale shown in column (2) thereof.

TABLE

(1)	(2)
1. Roneo operator Sevakh, Cycle Messenger Chairman Grade 1 and Social Survey assistant	Rs. 130-3-160-4-180-5-195
2. Sevakh-cum-Driver	Rs. 130-3-160-4-180-5-195
3. Chairman, Grade II	Rs. 15-1-20
4. Watchman	Rs. 130-3-160-4-180-5-195.

1. Substituted G.O. Ms. No. 179, Housing & Urban Development, 13th March, 1981.

**F. TAMIL NADU SLUM CLEARANCE
BOARD (DISCIPLINE AND APPEAL)
RULES, 1972**

1.(1) These rules may be called the Tamil Nadu Slum Clearance Board(Discipline and Appeal) Rules, 1972.

(2) They shall come into force on the 30th September 1970.

(3) They shall apply to-

(i) Every member of a Tamil Nadu Slum Clearance Board Service.

(ii) Every person appointed to a class or category of a Slum Clearance Board Service under rule 8 of the general rules in Part II of the Tamil Nadu Slum Clearance Board Service Rules. But they shall not apply to any person appointed to a Slum Clearance Board Service on contract under rule 9 of the general rules.

Explanation.- If any doubt arises as to the application of these rules to any person, the matter shall be referred to the State Government, whose decision shall be final.

2.(1) In these rules, unless there is anything repugnant in the context the words or expression occurring shall have the same meaning assigned to them in Part I of the Tamil Nadu Slum Clearance Board Service Rules.

(2) 'Appellate Authority' means the authority competent to entertain and pass orders setting aside or confirming or modifying an original order of a disciplinary authority imposing any of the penalties specified in rule 3 of these rules of any member of a service.

(3) 'The Disciplinary Authority' means the authority competent to impose any of the penalties mentioned in rule 3 on any member of a service.

Explanation.- Where an appellate authority passes an original order imposing any of the penalties specified in rule 3, he shall in respect of that order be deemed to be disciplinary authority.

Penalties

3. The following penalties may, for good and sufficient reason be imposed on any member of a service, namely: -

(1) Censure:

(2) Withholding of increments or promotion, including stoppage at an efficiency bar;

(3) Reduction to a lower rank in the seniority list or to a lower post on a time scale or to a lower stage in the time scale;

(4) Recovery from the pay of the whole or part of any pecuniary loss caused to municipal council or to any other local body or the State Government or the Central Government or the Tamil Nadu Slum Clearance Board by negligence or Breach of orders;

(5) Recovery from the pay to the extent necessary of the monetary value equivalent to the amount of increments ordered to be withheld, where such an order cannot be given effect to;

(6) Recovery from the pay to the extent necessary of the monetary value equivalent to the amount or reduction to a lower stage in a time scale ordered, where such an order cannot be given effect to;

Explanation (i). - In cases of stoppage of increments with cumulative effect, the monetary value of three times the amount of increments ordered to be withheld may be recovered.

Explanation (ii). - The penalties mentioned in items (1), (2), (3), (6) and (10) will be deemed to be the minor penalties and those in (3), (7), (8), and (9) as major penalties.

(7) Compulsory retirement from the Tamil Nadu Slum Clearance Board Service.

(8) Removal from the Tamil Nadu Slum clearance Board Service.

(9) Dismissal from the Tamil Nadu Slum Clearance Board Service.

(10) where a person has already been suspended under subrule 9 of rule 8, to the extent considered necessary by the authority imposing the penalty.

Explanation.- (1) The discharge

(i) Of a person appointed on probation before the expiry or at the end of the prescribed or extended period of probation; or

(ii) Of a person engaged under contract, in accordance with the terms of his contract; or

(iii) Of a person appointed or otherwise than under contract to hold a temporary appointment on the expiration of the period of the appointment does not amount to removal or dismissal within the meaning of this rule.

Explanation.- (2) The removal of a person from the Tamil Nadu Slum Clearance Board Service shall not disqualify him from future employment but the dismissal of a person from the Tamil Nadu Slum Clearance Board service shall ordinarily disqualify him from future employment in any Slum Clearance Board Service.

Disciplinary Authority

4. (1) The penalties provided in sub-rule (1), (2), (4), (5), and (6) of rule 3 and suspension from service under rule (8) and (9) in respect of members of service shown in column (1) of the table below shall be imposed by the authority shown in column (2) thereof or any higher authority.

TABLE

(1)	(2)
1. All members of subordinate and last grade services working in the divisions of the Tamil Nadu Slum Clearance Board	Executive Engineer of the Division concerned.
2. All members of subordinate and last grade working in the Circle Office of the Tamil Nadu Clearance Board.	Superintending Engineer
3. All members of the last grade services in the Tamil Nadu Slum Clearance	Accounts Officer of the Tamil Nadu Slum Clearance Board, the Assistant

Board's officers and the Assistant Vigilance Officers in the Serenity and Vigilance Cells.	Director of Statistics and the Chief Revenue Officer in respect of the staff working under their control.
4. Deputy Chief Revenue Officer Vigilance officers in the Serenity and Vigilance Cells.	Secretary
5. Junior Engineers, Executive Engineers, Accounts Officer, Chief Revenue Officer, Assistant Director of Statistics in all branches of the Tamil Nadu Slum Clearance Board	Board
6. Secretary to the Sulm Clearance Board, Chief Engineer and Superintending Engineer.	Government.

Provided that the Estate Officers shall be competent to impose the penalty specified in the sub-rule (1) of rule 3 (i.e.censure) in respect of members of services of and below the level of Junior Assistants including Lower Division Estate Inspector working under them.

(2) The disciplinary authority competent to impose the penalties provided for in sub-rules (3), (7), (8), and (9) of rule 3, on a higher authority.

(3) In the case of a person drafted from the State or Central Gocvernment departemnts and from the local or autonomous bodies on deputation the penalties specified in sub-rules (3), (7), (8), and (9) of rule 3 shall be imposed only by the authority which is competent to inflict such penalties in the lending department or body. The borrowing authority shall in such cases complete the enquiry and revert the person concerned to the lending authority may consider necessary. The penalties specified in sub-rules (1), (2), (4), (5) and (6) of rule ³[* * *] shall be imposed by the authority specified in sub-rule (1) of rule 4.

²[(4) In the case of a person permanently absorbed from State Government Department or from the local or autonomous body the penalties specified in sub-rules in sub-rules (1), (2), (4), (5), and (6), of rule 3 and suspension from service under rule 8 (9) in respect of members of service shown in column (1) of the Table under sub-rule (1) shall be imposed by the authority shown in column (2) thereof or any higher authority for misdeeds committed by him during his service under the Government Department or the local or the autonomous bodies:

Provided that the Government department or the local or the autonomous body under which the person served shall, in such cases, complete the enquiry and forward the records of enquiry for such actions as that authority may considered necessary in the case of such person the disciplinary authority for competent to impose the penalty provided for in sub-rules (3), (7), (8) and (9) of rule 3 shall be the appointing authority for the post held by such person in the Board at the time of awarding the penalty of any higher authority.]

1.Added by G.O. Ms. No. 743, Housing & Urban Development, dated 31st August, 1981.

2.Substituted G.O. Ms. No. 179, Housing & Urban Development, 13th March, 1981.

5.(1) Where in any case the appellate authority has imposed or declined to impose a penalty under this rule, the disciplinary authority shall have no jurisdiction to proceed under this rule in respect of the same case.

(2) The fact that the disciplinary authority has imposed or declined to impose a penalty in any case shall not debar the appellate authority from exercising his jurisdiction under this rule in respect of the same case.

(3) The order of the appellate authority impose any case a penalty under this rule shall supersede any order passed by a authority in respect of the same case.

(4) The order of the appellate authority has dropped a charge against a member of a service as not proved, shall not debar the appellate authority from reviving it for reasons to be recorded in writing and taking suitable action on the charge so revived.

6.(1) Where a person has been promoted from a class or category of a service to a higher class or category of such service no penalty shall be imposed on him in respect of his work or conduct while he was a member of the class or category from which he was promoted except by an authority competent to appoint him to the class to category or which he has been promoted.

7. Where a person has been reduced from a class or category of a service to a lower class or category of such service no penalty shall be imposed upon him in respect of his work or conduct while he was a member of a class or category from while he was reverted or reduced except by an authority competent to impose the penalty up on a member of such class or category as the case may be.

8. (1). In every case where it is proposed to impose on a member of a service any of the penalties specified in sub-rules (1), (2), (4), (5), (6) and (10) of rule 3, he shall be given a reasonable opportunity of making any representation that he may desire to make and such representation, if any shall be taken into consideration before the order imposing the penalty is passed:

provided that the requirements of this sub-rule shall not apply where it is proposed to impose on a member of a service any of the penalties aforesaid on the basis of facts which have led to his conviction by a court martial or where the officer concerned has absconded or where it is for other reasons impracticable to communicate with him.

(4) In every case where it is proposed to impose on a member any of the penalties provided for in sub-rules (3), (7), (8) and (9) of rule 3, the rounds on which it is proposed to take action shall be reduced to the form of a definite charge or charge which shall be communicated to the person charged together with the statement of the allegations on which each charge is based and of any other circumstances on which it is proposed to take into consideration in passing orders on the case, the person so charged shall be required within a reasonable time, to put in a written statement of his defense and to state whether he desired an oral inquiry or to be heard inquiry is desired by the person or both. At that inquiry shall be held if inquiry is desired by the person charged or is directed by the authority concerned. At that inquiry oral evidence shall be heard as to such of the allegations as or not admitted, and the person charged evidence in person and to have such witness called, as he may wish, provided that the officer conducting the inquiry may, for special and sufficient reason to be recorded in writing, refuse to call a witness.

Whether or not the person charged desired or had an oral inquiry he shall be heard in person at any stage if he so desires before passing of final order. A report of the inquiry or personal hearing (as the case may be) shall be prepared by the authority holding the inquiry or personal hearing.

Whether or not such authority is competent to impose the penalty, such report shall contain sufficient record of the evidence if any and a statement of the findings and the grounds thereof.

(3) After the inquiry or the personal hearing referred to in sub-rule has been completed and after the authority competent to impose the penalty has arrived at a provisional conclusion in regard to the penalty to the person charged shall be supplied with a copy of the report referred to that cause reasonable time not ordinarily exceeding one month, against the particular penalty proposed to be inflicted.

(4) Any representation in this behalf submitted by the person charged shall be taken into consideration before final orders are passed. provided that such representation shall be based only on the evidence adduced during the enquiry:

Explanation. - An opportunity to show cause against the imposition of any of the penalties referred to in this sub-rule shall be given, after the authority competent to impose the penalty to imposed the penalty arrives at a provisional conclusion in regard to the penalty to be impose, either by a subordinate authority who is superior in rank to the person on whom it is proposed to impose the penalty.

(5) The requirements of rule 8(2) shall not apply where it is proposed to impose on a service any such penalty as is referred to therein on or not he has been sentenced by such court to any representation

that he may be given a reasonable opportunity of making any representation that he may desire to make and such representation, if any shall be taken into consideration before the order imposing the penalty is passed.

(6) The requirements of sub-rule (2) shall not apply where it is proposed to impose on a member of a service any of the penalties mentioned in rule 3 on the basis of the facts which have led to his conviction by a court martial or where the person concerned has absconded or where it is for other reasons impracticable to communicate with him.

(7) The provisions of sub-rule (2) shall not apply where the Board is satisfied that in the interest of the security of the Board and it is except to follow the procedure prescribed that sub-rule.

(8) All or any of the provisions of the sub-rules (1) and (2) may, in exceptional cases, for special and sufficient reasons to be recorded in writing, be waived where there is difficulty in observing extraly the requirements of the said sub-rules and those requirements can be waived without injustice to the charged . if any question arises whether it is reasonably practical to follow the procedure prescribed in sub-rule (2), the decision thereon of the authority competent to dismiss or remove such person or reduce him in rank , as the case may be shall be final.

(9) A member of a service may be placed under suspension from service, where.

(i) an enquiry into grave charge against him is contemplated, or is pending; or

(ii) a complaint against of any criminal office is under investigation or trial and if such suspension is necessary in the public interests.

[Provided that in the case of a person drafted from the State or Central Government and from the local or autonomous bodies on deputation the borrowing authority shall forthwith revert the person concerned , to the lending department or body, for placing him under suspension by the competent authority in the lending department or body.]

(10) A Member of a service whom is detained in custody whether on a criminal charge or otherwise, for a period longer than forty-eight hours shall be deemed to have been suspended under this rule.

(11) Where a penalty of dismissal, removal or compulsory retirement from service under suspension is set aside on appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal; until further orders

(12) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a member of a service is set aside as declared or rendered void in consequence of or by consideration of

the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, such member of a service shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders. Whether a person suspended or deemed to have been suspended (Whether in connection with only disciplinary proceedings or otherwise) and any other disciplinary proceedings is commenced against him during the continuance of that suspension the authority competent to place him under suspension may for reasons to be recorded by him in writing direct that person shall continue such proceedings.

1. Added by G.O. Ms. No. 566 Housing & Urban Development 6th Dec. 1980

(13) An order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority which made the order or by the appellate authority or the State Government.

9. The competent authority imposing any penalty under these rules shall maintain a record showing

- (1) The allegation upon which action was taken against the person punished.
- (2) The charges framed, if any:
- (3) The person's representation, if any, and the evidence taken, if any and
- (4) The finding and the grounds thereof, if any

(1) All order of punishment shall state the grounds on which they are based and shall be communicated in writing to the person against whom they are passed.

(2) Every order, notice and other process made or issued under these rules shall be served in person on the person concerned or sent to him by registered post acknowledgement due or if such person is not found by leaving it at his last known place of residence or by going or rendering it to an adult member of his family or if none of the means aforesaid is available by affixing it in some conspicuous part of his last known place of residence.

Appeals

11. Every member of a service shall have their right to appeal against an order passed by an authority:

(1) Imposing him any of the penalties provided for in rule 3.

(2) Discharging him in accordance with the terms of his contract, if he has been engaged on a contract for a period exceeding three years at a time when his service is terminated.

12. A member of a service on whom any of the penalties mentioned in sub-rules (1), (2), (4), (5), (6), and (10) of rule 3 has been imposed by the authority shown in column (1) of the table below may appeal to the authority shown in column (2) thereof;-

TABLE

(1)	(2)
1. Executive Engineerers of the Divisional Officers	Superintending Engineer
2. Accounts Officer and Assistant Director of Statistics and Chief Revenue Officer of the Board's office.	Secretary.
3. Superintending Engineer	Chief Engineer.
4. Secretary	Chairman.
5. Board	Government.

13. A member of a service on whom any of the penalties mentioned in sub-rules (3), (7), (8) and (9) of rule 3 has been inflicted by the authority shown in column (1) of the table below may appeal to the authority shown in column (2) thereof :-

TABLE

(1)	(2)
1. Secretary	Chairman.
2. Superintending Engineer.	Chief Engineer
3. Chief Engineer	Chairman
4. Chairman	Board
5. Board.	Government.

14. Not with standing anything contained in rule 14 where an original order imposing a specific penalty imposed on a member of a service has been passed by the appellate authority in exercise of the powers conferred by rule 5 an appeal against such order shall lie to the next higher authority.

Provided that where the appellate authority who ahs passed the original order imposing the penalty happens to be again appeal to the State Government shall thereupon review the records of the expedient.

15. (1) In the case of an appeal against an order imposing any penalty specified in rule 2, the appellate authority shall consider:

(i) Whether the facts on which the order was passed have been established:

(ii) Whether the established afford sufficient ground for taking action: and

(iii) Whether the penalty is excessive, adequate or inadequate: and after such consideration shall pass such order as it thinks proper

(2) any error or defect in the procedure followed in imposing a penalty may be disregarded by the appellate authority if such authority considers, for reasons to be recorded in writing, that the error or defect was not material and has neither caused injustice to the person concerned nor affected the decision of the case.

16. In case of an appeal, the appellate authority shall pass such order as appears to it just and equitable, having regard to all the circumstances of the case.

17. Every person preferring an appeal shall do so separately and in his own name.

18. Every appeal preferred under these rules shall contain all material statement and arguments relied on by the appellant, shall contain no disrespectful to improper language and shall complete in itself. Every such appeal shall be addressed to the authority to which the appeal is preferred and shall be submitted through the head of the office to which the appellant belongs or belonged and through the authority from whose order the appeal is preferred.

19. An appeal may be withheld by an authority not lower than the authority from whose order it is preferred, if: -

(1) It is an appeal in a case in which under these rules no appeal lies, or

(2) it does not comply with the provision of rules 19, or

(3) It is not preferred within two months after the date on which the appellant was informed of the order appealed against and no reasonable cause is shown for the delay, or

(4) It is repetition of a previous appeal and is made to the same appellate authority by which such appeal has been decided and no new facts or circumstances are adduced which afford grounds for reconsideration of the case: or

(5) It is addressed to an authority to which no appeal lies under these rules:

Provided that in every case in which an appeal withheld, the appellant shall be informed of the fact and the reasons, for it:

Provided further that an appeal withheld on account only of failure to comply with the provision of rule 19 may be resubmitted at any time within one month of the date on which the appellant has been informed of the withholding of the appeal and resubmitted in a form which complies with those provision shall not be withheld

20. No appeal shall lie against the withholding of an appeal by a competent authority.

21. The authority by whom an order imposing a penalty specified in rule 3 may be reversed or altered in case in which no appeal is preferred shall be the appellate authority prescribed in the rules of the State Government.

22. (1) Every appeal which is not withheld under these rules shall be forwarded to the appellate authority by the authority from whose order the appeal is preferred with an expression of opinion.

(2) A list of appeals withheld under rule 20 with the reasons for withholding them shall be forwarded halfyearly by the withholding authority to the appellate authority

23. An appellate authority may call for any appeal admissible under these rules which has been withheld by a subordinate authority and may pass orders thereon as it considers fit.

24. Nothing in these rules shall operate to deprive any person of any right of appeal, which he would have had if these rules had not been made, in respect of any order passed before they came into force. An appeal pending at that time when or preferred, after these rules came into force shall be deemed to be an appeal under these rules, and rule 16 shall apply as if the appeal were against an order appealable under these rules.

25. Where the original order imposing any of the penalties specified in rule 3 has been imposed on a member of a services by the State government, such member may within two months on the date on which the order is communicated to him submit a revision petition to Government against the order. In disposing of such petition, the State Government shall as far as possible follow the procedure, prescribed for dealing with appeals.

7. TAMIL NADU SLUM CLEARANCE BOARD

(REMUNERATIVE ENTERPRISES)

RULES, 1972.

(G.O. Ms. NO. 671, Labour (Housing), dated 2nd may, 1972

S.R.O.No.A-428 of 1972.- In exercise of the powers conferred by clause (b) of section 40, read with section 70 of the Tamil Nadu Slum Areas (Improvement and Clearanced) Act, 1971 (Tamil Nadu Act XI of 1971), the Governor of Tamil Nadu hereby makes the following rules.

RULES

1. Short title.- These rules may be called the Tamil Nadu Slum Clearance Board (Remunerative Enterprises) Rules, 1972

2. Definitions.- In these rules, unless the context otherwise requires

(a) **"Act"** means the Tamil Nadu Slum Areas(Improvement and Clearance) Act, 1971 (Tamil Nadu Act XI of 1971)

(b) **"Board"** means the Tamil Nadu Slum Clearance Board established under section 34 of the Act.

3. Functions of the Board.- In addition to the functions of the Board under the Act, the board shall perform the following functions, namely:-

(a) acquisition by purchase, exchange or otherwise of any property for the improvedment, development, clearance or erection of building, for carrying out the purpose of the Act;

(b) Laying or relaying out of any land comprised in the scheme of the Board;

(c) Distribution or redistribution of sites, buildings or tenements of the Board;

(d) Closure or demolition of dwellings or portions of dwellings unfit for human habitation;

(e) Construction and reconstruction of buildings;

(f) Sale, lease or exchange of any property;

(g) Providing drainage, water -supply and lighting of the streets in the slum areas;

(i) Providing open parks, playing fields and open spaces for the benefit of any area comprised in any scheme of any adjoining area, and the enlargement of existing parks, playing fields, open spaces, approaches;

(j) Providing sanitary arrangements required for the area comprised in any scheme, including the conservation of and prevention of injury or contamination to rivers or other sources and means of water supply.

(k) Providing accommodation for any class of inhabitants;

(l) Providing facilities for communication and transports;

(m) Advancing money for the purpose of the scheme;

(n) Collection of such information and statistics as may be necessary for the purpose of the Act;

(o) Reclamation or reservation of lands for markets, gardens, playing fields and afforestation;

(p) Providing schools, parks, swimming pools, restaurants, shops, markets, fuel depots, laundries, hair dressing saloons and other amenities;

(q) Any other remunerative enterprise.

4. The functions of the Board provided in rule 3 shall be confined only to the areas notified under the Act.

**8. TAMIL NADU SLUM CLEARANCE BOARD
(CONTROL & MANAGEMENT OF PROPERTIES)
RULES, 1971.**

(G.O. Ms. No. 1137, Labour (Housing), dated 7th September, 1971)

S.R.O.No.A-931 of 1971.- In exercise of the powers conferred by sub-section(1) of section 70- of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil nadu Act XI of 1971), the Governor of Tamil Nadu hereby makes the following rules: -

RULES

1. Short title.-

These rules may be called the Tamil Nadu Slum Clearance Board (Control and Management of Properties) Rules, 1971.

2. Definitions.- In these rules

(a) "Act" means the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act XI of 1971);

(b) "Form" means a form appended to these rules.

(c) "Chairman" means chairman of the Tamil Nadu Slum Clearance Board established under section 34 of the Act.

(d) "Board" means the Tamil Nadu Slum Clearance Board established under section 34 of the Act.

(e) "Executive Enmgineer" means Executive Engineer appointed by the board.

3. Allotment of Plots, Tenements, Buildings.- The Chairman may allot or grant plots of lands, tenements or buildings or other premises owned or otherwise controlled by the board to such slum dwellers whom he considers eligible by way of sale; lease-cum-scale, lease or licence, on such terms and conditions and subject to such restrictions and on payment of such value, rent free or other charges as the Board determines from time to time.

4. Penalty for Non-observance of conditions of allotment.-

(a) If the Executive Enginner or any other authorised by the Chairman, Tamil Nadu Slum Clearance Board, is satisfied that the persons authorised to occupy any of the Board's premises under Rule 3 has: -

(i) Not paid the rent, licence fee, charges value or any other amount due to the Board in respect of the premises in his occupation for a period of two months from the date on which the same has become due and payable, or

(ii) Sublet, without the previous permission in writing of the Engineer, the whole or any part of the said premises, or

(iii) Otherwise acted in contravention of any of the terms, condition or restriction expressed or implied under which he is authorised to occupy the said premises, or

(b) If any person is in unauthorised occupation of any of the Board's premises, the Executive Engineer or the Officer of the Board authorised by the Chairman shall evict him and resume possession.

5. Procedure to be adopted before eviction.-

Before an order of eviction is passed under rule 4 of the Executive Engineer or an officer of the Board authorised by the Chairman in this behalf shall issue notice to the person against whom action is taken, to show cause why an order of eviction should not be passed against him. After considering the explanation, if any, given, the Executive Engineer or the Officer of the Board authorised by the Chairman, shall pass appropriate orders.

6. Powers of the Executive Engineer to evict tenants for refusal to comply with orders.-

If any person refuses or fails to comply with an order made under rule 4, the Executive Engineer or the officer authorised by the Chairman may evict that person from and take possession of the premises and may for that purpose, use such force as may be necessary.

7. Power to recover licence fee or other amounts due to the board as arrears of land revenue.-

Without prejudice to the provisions of rule 4, where any person is in arrears of dues fee or other amount due to the Board in respect of any Board's premises, the Chairman of the Board or any other authorised by him in this behalf may be notice served, order that person to pay the same within such time not being less than fifteen days as may be specified in the notice. If such person refuses or fails to pay the same within the time specified in the notice, such arrears may be recovered as if it is an arrears of land revenue.

8. Damages for unauthorized occupation.-

Where any person is in unauthorised occupation of any Board's premises. Chairman of the Board or any officer authorised by him in this behalf may, in the prescribed manner, assess such damages on account of the use and occupation of the premises and may by notice order that person to pay the damages within such time as may be specified in the notice. If any person refuses or fails to pay the

damages within the time specified in the notice, the damages may be recovered from him as it is an arrear of land revenue.

9. Appeal.-

(1) Any person aggrieved by an order of the Executive Engineer or the officer of the Board authorised by the Chairman under the foregoing rules may within 15 days from the date of service of such order prefer an appeal to the Chairman:

provided that the Chairman may entertain to the appeal after the expiry of the said period of 15 days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-rule (1), the chairman may, after calling for a report from the executive engineer, or the officer of the Board authorised by the chairman and after making such further inquiry, if any as may be necessary pass such orders as he thinks fit and the order of the Chairman shall be final

(3) On such appeal being preferred, the Chairman may stay the execution of the order of the Executive Engineer or the officer of the Board authorised by the Chairman for such period and on such conditions as he thinks fit.

10. License fee or other amounts due to the Board to be recovered from deductions from salary or wages in certain causes.-

(1) Subject to the provisions of rules 4 and 5, any slum dweller who is an employee of the Government or a local may execute an agreement in favour of the Board, providing that the Government or the local authority, as the case may deduct from the salary or wages payable to him such the amount so deducted to the Board in Satisfaction of the rent fee or other amounts due by him in respect of the Board's premises allotted to him.

(2) On the execution of such an agreement, the Government or local authority, as the case may be, shall, if so required by the Board by requisition in writing, make the deduction of the amount specified in the requisition, from the salary or wages of the employee specified in the requisition, in accordance with agreement and pay the amount so deducted to the Board.

11. Forms of Notices and Orders.- The Notices to be served under these rules shall be in the Forms given in Annexure.

ANNEXURE

FORM A

NOTICE UNDER RULE 5 READ WITH RULE 4 OF
TAMIL NADU SLUM CLEARANCE BOARD (CONTROL

AND MANAGEMENT OF PROPERTIES) RULES, 1971

Thiru.....(a) has not paid rent / licence fee.....due by him to the Tamil Nadu Slum Clearance Board (hereinafter called the Board) in respect of the premises described in Annexure I here under, belonging to the Board, which is now under his occupation as detailed in Annexure II.; or

(b) Has allowed any person to occupy without the permission of the Board the whole or any part of the aforesaid premises; or

(c) Has violated the following conditions and terms and restrictions under which he was authorised to occupy the aforesaid premises; or

(d)..... He is hereby directed to show cause within fifteen days from the date of receipt of this notice why action should not be taken to evict him from the aforesaid premises. If no explanation is tendered, or if the explanation tendered is not acceptable , final orders will be issued and he will be summarily evicted, without prejudice to the right of the Board to recover the amounts due from him till the date of resumption of possession by the Board.

Dated
ANNEXURE I

Signature of the Executive Engineer

Description of the Premises

ANNEXURE II

Details of Arrears

FORM B

FINAL ORDER UNDER RULE 4 OF TAMIL NADU
SLUM CLEARANCE BOARD (CONTROL AND
MANAGEMENT OF PROPERTIES) RULES, 1971

To
Thiru / Thirumathi,

WHEREAS for the reasons stated in the notice issued to you on... you were directed to show cause within fifteen days from the date of receipt of the said notice why action should not be taken to evict you from the board's premises.

WHEREAS you have not tendered any explanation / whereas your explanation as duly considered and is found not acceptable;

You are hereby ordered to vacate and deliver vacant possessions of the Board's premises described in the annexure, within 15 days from the service of this notice. If you fail to deliver peacefully the possessions of the said premises, you will be evicted there from using such force as may be necessary and possession taken after the expiry of the period of 15 days allowed in this order;

This order is made without prejudice to the right of the Board to recover the arrears and other amounts due to the Board as arrears of land Revenue or by any other mode of recovery.

Dated at Madras this.....day of1971

Executive Engineer

N.B.-An appeal will lie against this order to the Chairman, Tamil Nadu Slum Clearance Board within 15 days under rule of the Rules

**9. TAMIL NADU SLUM CLEARANCE BOARD
(MANNER OF OPERATION OF ACCOUNT)
RULES, 1976**

(G.O. Ms. No. 906, Housing, dated 24th June, 1976)

S.R.O.No.A-225 of 1976.- In exercise of the powers conferred by section 20, read with section 41 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act XI of 1971), the Governor of Tamil Nadu hereby makes the following rules.

RULES

1.Short title.- These rules may be called the Tamil Nadu Slum Clearance Board(Manner of Operation of Accounts) Rules, 1976.

2.Definitions.- In these rules, unlessw the ci\ontext otherwise requires.

(a) "Act" means the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act XI of 1971); and

(b) "Board" means the Tamil Nadu Slum Clearance Board established under section 34 of the Act.

3.Deposit of the funds of the Board.- (1) The Board may be authorised to deposit, its funds in one or more Natiuonalised Commercial Banks or 'A Class Schedule Banks in such accounts as may be found convenient, up to a maximum monetary limit of one hundred lakhs of rupees in each bank.

(2) The Bank account shall be opened by the name of the Board.

4.Payment from Board's funds.- No payments exceeding fifty rupees shall be made except through cheque.

5.Authority to sign orders for deposit and cheque.- Orders for making any deposit shall be, in writing, and all such orders and cheques shall be signed by the Chairman or the Chief Accounts Officer of the Board in respectof the main Accounts of the Board andby the Executive Engineer or theEstate Officers concerned in respect of the Divisions / Units.

6. Precautions to be observed before signing a cheque.- The Chairman, the Chief Accounts Officer, the Executive Engineer, or the Estate Officer, as the case may be, shall satisfy himself before he signs a cheque that the sum for which such cheque is drawm is required for a purpose of work specifically sanctioned by the Board or any other competent authority where such sanction is necessary under the Act or rules made there under. The Chairman, of the Chief Accounts Officer, the Executive Engineer, or the Estate officer, as the case may be shall also satisfy himself before signing the cheque that a proper bill has been prepared and passed for payment by the competent authority.

7.Procedure to be followed in writing a cheque.-

(i) Every cheque shall be made payable to order only. In the absence of a specific request to the contrary from the payee, the cheque drawn in favour of corporate bodies, firms or private persons shall always be crossed. Subject to any instructions from the payee, the cheque shall be crossed and Company between the crossing

(ii) These accounts in the Bank shall be operated by the Chairman, the Chief Accounts Officer of the Boards, the Executive Engineers and the Estate Officers of the divisions. The Board shall decide, from time to time, the names and designation of the officers who shall operate such accounts in the Banks mentioned to rule 3.

10. TAMIL NADU SLUM CLEARANCE BOARD SERVANTS SERVICE ASSOCIATIONS RECOGNITION RULES, 1981.

(G.O. Ms. No. 581, Housing & Urban Devpt., 18th July 1981)

S.R.O.No.A-231 / 81.- In exercise of the powers conferred by section 70, read with section 38 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act XI of 1971), the Governor of Tamiol Nadu hereby makes the following rules.

RULES

1. Short title.- These rules may be called the Tamil Nadu Slum Clearance Board's Servant's Recongnition of Service Association ¹[Recognition] Rules, 1981.

2. Commencement.- These rules shall come into force on the 18th July 1981..

1.ins. by G.O. Ms. No. 133, Housing & Urban Development 2nd Feb, 1987.

3. Definition. In these rules, unless the context otherwise requires.

(a) "Board Servant" means any person who is an Officer or a servant of the Tamil Nadu Slum Areas [Improvement and Clearance] Act, 1971 or any of its units but does not include a servant of the Central Or State Government or local authority whose services have been lent to the Board.

(b) Service Association includes a Federation or a Confederation of Service Association.

¹[4] **Conditions for recognition of Service Association.-**

No service Association shall be recognized by the Board after the commencement of these rules, unless such Service Association satisfies the following conditions, namely. -

[a] An application for recognition of the Service Association shall be made with the following particulars. -

- (1) Title of the Association;
- (2) Headquarters of the Association;
- (3) The number of members of the Association; and
- (4) The names of branches; if any

[b] The object of the Service Association shall be to promote the common service interests of its members;

[c] No person, who is not a Board's Servant, shall be connected with the affairs of the Service Association .

1.Subs. By G.O. Ms. No. 133, Housing & Urban Development, 2nd Feb. 1987.

[d] The Service Association shall not be framed on the basis of any caste, tribe or religious denomination or of any group within or section of such caste, tribe or religious denomination;

[e] the executive functions of the Service Association shall be vested in one or more of the members appointed for the purpose;

[f] The funds of the Service Association shall consist exclusively of subscription from members and grants, if any, made furtherance of the object of Service Association.

5. Conditions subject to which recognition is granted.-

Every Service Association recognized under these rules shall comply with the following conditions namely: -

(a) All representatives by the Service Association shall be submitted through the proper channel, and shall, as a normal practice be addressed to the Chairman of the Board;

(b) A list of members and office-bearers, an up-to-date copy of the rules and an audited statement of accounts of the Service Association shall be furnished to the Board annually through proper channel after the general annual meeting so as to reach the Board, before the first day of July each year;

(c) All Service Associations, whose annual turn over is of the order of Rs. 10,000 (Rupees ten thousand) and above, shall have their accounts duly audited by a qualified registered Auditor.

(d) Any amendment of a substantial character in the rules or bye-laws of the Service Association shall be made only with the previous approval of the Board and any other amendment of minor character shall be sent through the proper channel to the Board.

(e) The Service Association shall not do any act or assist in the doing of any act which, if done by a Board's servant would contravene any of the provisions of rules of the Tamil Nadu Slum Clearance Board's Officers and Servants Conduct Rules.

(g) Communication addressed by the Service Association or by any officer-bearer on its behalf the Board or the Government shall have the right to withhold it;

(h) The Service Association shall not, without the previous sanction of the Board, permit its proceedings to be open to the press;

(i) The Service Association shall not use a strike or the threat of a strike against the Board as a means of achieving any of the purposes of the Association; and

(j) The Service Association shall have the following rule incorporated among its rules, namely: -

" A strike or the threat of a strike against the Board shall never be used as a means of achieving any of the purposes of the Association".

¹6. The Tamil Nadu Slum Clearance Board may if the Board is of opinion that a Service Association recognized or deemed to have been recognized under these rules have failed to comply with any of the condition in rule 4 or rules for good and sufficient reason to be recorded in writing deserves to be de-recognised, withdraw the recognition accorded to such service association provided that the recognition shall not be withdrawn, unless such service association has been given an opportunity of making its representations.

7. Power to relax rule.- The Board may dispense with or relax the requirements of any of these rules to such extent and subject to such conditions as it may deem fit in regard to any Service Association or Class of Service Associations.

8. Decision of the Board.- If any question arises as to the interpretation of any of provisions of these rules, it shall be referred to the Board whose decision thereon shall be final.

1. Subs. By G.O. Ms. NO. 133, Housing & Urban Development, 2nd Feb. 1987.

**11. TAMIL NADU SLUM CLEARANCE BOARD
WORK CHARGED ESTABLISHMENT SERVICE
RULES, 1988.**

(G.O. Ms. No. 1750, Housing & Urban Development,
dated 29th December, 1988)

S.R.O.No.A-244(a)/88.- In exercise of the powers conferred by sub-section (1) of section 38 and section 70 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act XI of 1971), the Governor of Tamil Nadu hereby makes the following rules governing the conditions of service of the servants of the Tamil Nadu Slum Clearance Board of the provincialised, non-provincialised and nominal muster roll under the work charged establishment:-

1. Short title and commencement.- (1) These rules may be called the Tamil Nadu Slum Clearance Board Work Charged Establishment Service Rules, 1988.

(2) They shall come into force on the date of their publication in the Tamil Nadu Government Gazette.

2. Definition.- (i) "Act" means the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971.

(ii) "Board" means the Tamil Nadu Slum Clearance Board Established under section 345 of the Act.

(iii) "Chairman" means the Chairman of Tamil Nadu Slum Clearance Board.

(iv) "Government" means the State Government.

(v) "Work Charged Establishment" means Provincialised, Non-provincialised and persons working under Nominal Muster Rolls.

3. Constitution.- The Service shall consist of the following categories of posts, namely: -

Category 1	Technical Work Assistant.
Category 2	Non-Technical Work Assistant, Grade I.
Category 3	Non-Technical Work Assistant, Grade II.
Category 4	Wireman, Grade II.

Category 5	Electrician Grade II.
Category 6	Plumber
Category 7	Pump Operator.
Category 8	Man Mazdoor.
Category 9	Sanitary Mazdoor.
Category 10	Watchman.
Category 11	Gardener.

4. Appointment.- (a) Appointment to the posts specified in column (1) of the Table below shall be made by the method specified in column (2) thereof: -

THE TABLE

POST	METHOD
(1)	(2)
CATEGORY 1 Technical Work Assistant	(i) By direct recruitment; or (ii) By transfer from any other category for special reasons.
CATEGORY 2 Non-Technical Work Assistant,	(i) By direct recruitment; or (ii) By promotion from among the holders of the post of Non-Technical Work Assistant, Grade II; or (iii) By transfer from any other category for special reasons
CATEGORY 3 Non-Technical Work Assistant, Grade II	(i) By direct recruitment; or (ii) By transfer from any other category for special reasons
CATEGORY 4 Wireman, Grade II	(i) By direct recruitment; or (ii) By transfer from any other category for special reasons.
CATEGORY 5 Electrician, Grade II	(i) By direct recruitment; or (ii) By transfer from any other category for special reasons.
CATEGORY 6	(i) By direct Recruitment; or

Plumber	(ii) By transfer from any other category for special reasons.
CATEGORY 7	(i) By direct recruitment;
Pump Operator	(ii) By transfer from any other category for special reasons.
CATEGORY 8	(i) By direct recruitment; or
Man Mazdoor	(ii) By transfer from any other category for special reasons.
CATEGORY 9	By direct recruitment
Sanitary Mazdoor	
CATEGORY 10-Watchman	By direct recruitment
CATEGORY 11-Gardener	By direct recruitment

(b) Appointment by direct recruitment shall be made only by consultation with the Employment Exchange as provided for in the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 (Central Act 31 of 1959) and the rules made thereunder

5. Appointing Authority.- Selection for appointment to any post shall be made by the Chairman of the Board. Appointment shall be made by the respective Superintending Engineer of the Board.

6. Qualifications.- (a) **Age.-** No person shall be eligible for appointment, by direct recruitment, to any post in the service if he has completed or will complete the age of thirty years on the 1st July of the year in which the selection for appointment is made:

Provided that the above age limit shall be increased by five years in the case of candidate belonging to the scheduled Castes and Scheduled Tribes.

(b) Other Qualification.- No person shall be eligible for appointment to the posts specified in column(1) of the table below unless he possesses the qualification specified in column (2) thereof.

THE TABLE

POST	METHOD
(1)	(2)
CATEGORY 1	A Diploma in Civil Engineering.
Technical Work Assistant	By direct recruitment or by transfer
CATEGORY 2	

Non-Technical Work Assistant, Grade I	(i) X Standard or its equivalent
	(ii) Practical Experience in handling of muster rolls, acquittance rolls, maintaining site work accounts including elementary knowledge of estimate for a period of not less than one year; and
	By promotion: Experience as Non-Technical Work Assistant Grade II for a period of five years.
CATEGORY 3 Non-Technical Work Assistant, Grade II	(i) Must have studied upto X Standard or its equivalent; and
	(ii) Practical experience in handling of muster rolls, acquittance rolls including elementary knowledge of estimate for a period of not less than one year.

THE TABLE - Contd

POST	METHOD
(1)	(2)
CATEGORY 4 Wireman, Grade II	(i) VIII Standard in a recognized school or its equivalent.; and
	(ii) Must possess I. T. I Certificate in the trade of wireman or experience as wireman for a period of not less than 5 years in a reputed firm or factory.
CATEGORY 5 Electrician, Grade II	(i) VII Standard in a recognized school or its equivalent.; and
	(ii) Must possess I. T. I. Certificate in the trade of Electrician or experience as Electrician for a period of not less than 5 years in a reputed firm or factory.
CATEGORY 6 Plumber	(i) VIII Standard in a recognized school or its equivalent.; and

	(ii)	Must possess I. T. I. Certificate in the trade of fitter or turner or practical experience in plumbing works for a period of not less than five years in a reputed firm or factory.
Category 7 Pump Operator	(i)	VIII Standard in a recognised school or its equivalent; and
	(ii)	Must possess I. T. I. Certificate in the trade of Wireman or Electrician or practical experience in a pumping house for a period of not less than five years.
Category 8 Man Mazdoor		Must be able to read and write Tamil;
Category 9 Sanitary Mazdoor		Provided that preference shall be given to the candidate possessing some academic qualification
Category 10 Watchman		or previous experience in such type of works attached to the post.
Category 11 Gardener		

7. Probation. - Every person appointed to the post by direct recruitment shall be on probation for a total period of two years on duty within a continuous period of three years.

8. Pay. - There shall be paid to the holder of the post specified in column (1) of the Table below a monthly pay calculated in the scale specified in column (3) thereof: -

THE TABLE - Contd

POST	METHOD
(1)	(2)
CATEGORY Technical Work Assistant	705-20-745-25-845-35-1,230
CATEGORY 2 Technical Work Assistant Grade II	555-15-615-20-795-25-970
CATEGORY 3	505-10-555-15-615-20-795-25-845

Non-Technical Work Assistant

Grade II

CATEGORY 4

505-10-555-15-615-20-796-25-845

Wireman, Grade II

CATEGORY 5

505-10-555-15-615-20-765-25-845

Electrician, Grade II

CATEGORY 6

450-10-510-15-720

Plumber

CATEGORY 7

450-10-510-15-720

Pump Operator

CATEGORY 8

450-10-510-15-720

Man Mazdoor

CATEGORY 9

450-10-510-15-720

Sanitary Mazdoor

CATEGORY 10

450-10-510-15-720

Watchman

CATEGORY 11

450-10-510-15-720

Gardener

9. **Leave.-** The holders of the posts mentioned in the Rule 2 shall be eligible for leave as applicable to regular employees of the Board of appropriate status.

10. **Pension.-** The holders of the posts mentioned in rule 3 shall be eligible for pension and Death-cum-Retirement Gratuity as per Tamil Nadu Slum Clearance Board Pension and G. P. F. Rules, 1980.

11. **Discipline authority.-** The disciplinary authority for any post to impose minor penalties specified in rule 3 of the Tamil Nadu Slum Clearance Board (Disciplinary and Appeal) Rules, 1972, shall be the Executive Engineer concerned and to impose major penalties the appointing authority concerned.

12. **Appellate authority.-** The appellate authority for any post shall be the appellate authorities specified in the Tamil Nadu Slum Clearance Board (Disciplinary and Appeal) Rules, 1972.

13. **Power to remove difficulties.-** If any difficulty arises in giving effect to the provisions of these rules, the matter shall be referred to the Government whose decision shall be final.

14. **Saving Clause.-** Nothing contained in these rules shall adversely affect any person who, on the 8th July 1980 has been holding a post in any category included in the Work Charged Establishment Services in a temporary capacity.

15. **General.-** In matters in respect of which no provision has been made in these rules, the Special Rules for the Slum Clearance Board Technical Subordinate Service shall apply.

**12. RULES IN REGARD TO
PENSION & GENERAL PROVIDENT FUND
FOR THE OFFICERS AND SERVANTS OF
TAMIL NADU SLUM CLEARANCE BOARD**

(G.O. Ms. No. 575, Housing & Urban Development, dated 28th April, 1980)

No.S.R.O.A-218 /80.- In exercise of the powers conferred by of sections 30(1) and section 70 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act XI of 1971), the Governor of Tamil Nadu hereby makes the following rules in regard to Pension and General Provident Fund for the Officers and Servants of the Tamil Nadu Slum Clearance Board.

**THE TAMIL NADU SLUM CLEARANCE
BOARD PENSION RULES**

1. Short title and Commencement.- (i) These rules may be called the "Tamil Nadu Slum Clearance Board Pension Rules 1980.

2. Definition.- (i) "Act" means the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act 11 of 1971).

(ii) "Auditor" means the auditor appointed under section 41 of the Act;

(iii) "Board employees" means persons appointed under section 37 of the Act;

(iv) "Chairman" means the Chairman of the Tamil Nadu Slum Clearance Board;

(v) "Chief Accounts Officer" means the Chief Accounts Officer of the Board;

(vi) "Head of office" means a person in administrative charge of units formed under section 37 of the Act;

(vii) "Pension Fund" means the fund created under these regulations;

(viii) "Provident Fund" means the fund created under these regulations;

(ix) "Secretary" means the Secretary appointed under section 37 of the Act.

3. Application.- These rules shall apply to

(a) persons appointed to the service of the Board on or after the 30th September 1970; and

(b) Persons who were in the service of the Board on the 30th day September 1970 and who opt to be governed by these regulations except the following.

(a) Board's employee who are engaged on daily wages and nominal muster roll basis paid out of contingencies and work charged establishment.

(b) Servants of the Central Government or the State Government in respect of whom contribution is paid under section 38(2) of the Act

4. Option.-

(i) An employee of the Board who was in the service of the Board on the 30th day of September 1970 may opt to be governed by these rules. The option shall be exercised within one year from the date on which these regulations came into force and the option once exercised shall be final.

(ii) An employee of the Board who died while in service or after retirement before these rules came into force be deemed to have opted to come under these rules.

(iii) The option shall be exercised in writing in duplicate in Form C in Appendix to these regulations and shall be communicated by the employee concerned to the head of his / her office. The declaration when received shall be countersigned by the concerned head of the office or the Secretary in the case of the Board Secretariat and one copy shall be pasted in the service book of the employee concerned, the duplicated being forwarded to the Auditor.

5. Contribution to Provident Fund.- An employee of the Board who elects to come under these rules.

(i) Shall subscribe to a General Provident Fund which will be governed by the Rules and Regulations applicable to the State Government employee under the rule making power of the Government of Tamil Nadu from time to time.

6. Contribution of Pension Fund.- (i) The Board shall constitute a separate "Pension Fund" outside the Board's Account to which shall be credited annually a sum equal to 10 percent from Board's funds of the maximum of time scale of pay and such other emolument as would count for pension of the persons who have opted for the pension scheme.

(ii) All amount credited to the Fund shall be administered by the Chief Accounts Officer and proper accounts maintained by him as may be prescribed in consultation with the Auditor.

(iii) All amounts standing to the credit of this fund shall be deposited in such bank account as may be decided by the Chairman and surplus funds, if any, shall be invested in such securities and deposits as would secure maximum return.

7. Pension and Death-cum Retirement Gratuity.- (i) All the pension rules applicable to Government Servants under the rule making control of Government of Tamil Nadu together with the instructions and ruling issued there under from time to time shall apply to Board employee who come under these rules subject to the modifications that the terms "Government Servants", "Government" and "Head of Department" in this rules shall mean and include "Board Employee", "Board" and the "Chairman" respectively.

(ii) The powers assigned to the Accountant-General and the Audit Officer in the rules referred to in Clause (i) above shall be assigned to the Auditor who shall exercise such powers.

(iii) The rules referred to in Clause (i) above shall form parts of these rules together with such instructions, rulings, and amendments issued thereunder from time to time under the rule making powers of the Government.

8. Sanction.- (i) All applications for grant of Pension and Gratuity shall be submitted to the Chairman through the head of office or the Secretary, as the case may be, one year in advance of the date of retirement in such forms as prescribed. All such applications will be processed by the Secretary and sent to the Chief Accounts Officer for scrutiny and obtaining the concurrence of the Auditor before actual sanction;

(ii) On receiving information of the death of an employee while in service, or after retirement the Secretary shall send a letter in form-A to the family of the deceased enclosing a copy of the Form-B in Appendix. On receipt of the application duly filled in the papers will be sent to the Chief Accounts Officer for scrutiny and obtaining concurrence of the Auditor for sanction of Family Pension;

(iii) All pensions and gratuity to an employee shall be sanctioned by the authority competent to appoint such employee to a post-

(a) All Pension payment orders shall be issued by the Chief Accounts Officer and paid by him;

(b) The Chief Accounts Officer shall make payment of pension every month in Board's Secretariat, in respect of employees and their families who opt to receive the pension in City of Madras; and

(c) In respect of employees and their families who opt to receive the monthly pension in the mofussil, the Chief Accounts Officer will authorise payment.

FORM A

(See regulation 8 of the Tamil Nadu Slum Clearance Board Pension Rules, 1980)

The undersigned has learnt with regret the death of Sri / Smt

and is directed to inform you that under the provisions of the Tamil Nadu Slum Clearance Board Pension Rules, 1980 you are entitled to family pension.

I am accordingly to suggest that formal claim of the grant of family pension may be submitted by you in the enclosed form along with the following documents:-

1. Death Certificate.
2. Two copies of a passport size Photograph duly attested by a Gazetted Officer.
3. Guardianship certificate where pension is admissible to a minor child.

Signature:

DESIGNATION: Secretary

OFFICE:

FORM B

(See regulation 8 of the Tamil Nadu Slum Clearance Board Pension Rules, 1980)

Application for Family Pension

1. Name of the applicant:
2. Relationship to the deceased Board Employee / Pensioner
3. Date of retirement, if the deceased was a pensioner
4. Date of death of the Board Employee / Pensioner
5. Name and age of surviving kindred of the deceased

Name	Date of Birth	Relationship
------	---------------	--------------

(By Christian Era)

6. Name of unit at which payment is desired:
7. Signature or left hand thumb impression in the case of those who are not literate enough to sign their name of the applicant:
8. Descriptive roll of widow / widower/ guardian of the minor children of late
 - (i) Date of birth (By Christian Era)
 - (ii) Height

(iii) Personal marks, if any, on hand or face

(iv) Left hand thumb and finger impressions

small finger	Ring finger	Middle finger	Index finger
	Thumb		

9. Full address of the applicant:

Attested by-

1.

2.

witnesses--

1.

Name :

Address:

Occupation:

2.

Name:

Address:

Occupation:

13. THE TAMIL NADU SLUM CLEARANCE BOARD PROVIDENT FUND RULES, 1980

(G.O. Ms. No. 575, Housing & Urban Development, dated 28th April 1980)

1. Short title and commencement.- (i) These rules may be called the "Tamil NaduSlum Clearance Board Provident Fund Rules, 1980."

(ii) They shall come into force on the 28th January 1978.

2. Definitions.- In these rule, unless there is anything repugnantn in the subject of context-

(i) "Chief Accounts Officer" means the Chief Accounts Officer of the Board.

(ii) "Emoluments" means pay, dearness allowance leave salary or subsistence grant as defined in the Fundamental Rules of the Government and includes any remuneration of the nature of pay received in foreign service.

(iii) "Family" means.-

(a) In the case of male subscriber, the wife or wives and children of a subscriber, and the widow or widows and children of a deceased son of the subscriber:

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs, to be entitled to maintenance she shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently indicates by express notification in writing to the Chief Accounts Officer that she shall continue to be so regarded; and

(b) IN the case of a female subscriber the husband and children of the subscriber, and widow or widows and children of a deceased son of the subscriber;

Provided that if a subscriber by notification in writing to the Chief Accounts Officer expresses her desire to exclude her husband from her family \, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels formally in writing her notification excluding him.

Explanation I.- "Children" means legitimate children.

Explanation II.- An adopted child shall be considered to be child when the Chief Accounts Officer, or if any doubt arises in their mind of the Chief Accounts Officer, the Board is satisfied that under the personal law of the subscriber, adoption is legally recognized as conferring the status of a natural child.

(iii) A child of one person given in adoption to another shall not be considered to be the child of the former if the Chief Accounts Officer or if any doubt arises in the mind of Chief Accounts Officer, the Board is satisfied that under the personal law of the persons concerned, such adoption is legally recognized and in that case only.

(iv) "Fund" means the Tamil Nadu Slum Clearance Board Provident fund.

(v) "Leave" means any kind of leave recognized by the Tamil Nadu Leave Rules, 1933 of the State Government or such rules as applicable to the servants of the Board.

(vi) "One Year" means a financial year.

NOTE.- Any other expressions employed in these rules which is defined either in the Provident Funds Act, 1925 (Central Act XIX of 1925) or in the Fundamental Rules of the Government is used in the sense therein defined.

3. Constitution and management of the fund.- The fund shall be administered by the Board and shall be maintained in rupees.

4. (i) Every Board's servant shall join the Fund with effect from the date on which the Chairman certifies that he is likely to be in service without a break provided that he has satisfactorily completed his probation in the post in which he was appointed, or if no probation has been prescribed for the post, after he has put in a satisfactory service for a total period of two years within a continuous period of three years, as the case may be, and shall from that date be a subscriber to the fund.

(ii) If a Board's servant admitted to the behest of the Fund was previously a subscriber to the Provident Fund established and maintained by the Government or a local body or a body corporate, owned or controlled by the Government, the amount to his credit in that fund shall be transferred to his credit in the Fund with the consent of the Government or the local body or the body corporate, as the case may be.

NOTE.- A re-employed person shall not be admitted to the Fund.

NOMINATION

5. (i) A subscriber shall, along with his application for admission to the Fund, send to the Chief Accounts officer a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death before that amount has become payable or having become payable has not been paid;

Provided that where a subscriber is a minor, he shall be required to make the nomination only on his attaining the age of majority.

Provided further that a subscriber, who has a family at the time of making the nomination, shall make such nomination only in favour of a member or members of his family.

(ii) If a subscriber nominates more than one person under clause (i) he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the fund at any time

(iii) Every nomination shall be in such one of the forms set forth in the First Schedule as is appropriate in the circumstances.

(iv) A subscriber may, at any time, cancel a nomination by sending a notice, in writing, to the Chief Accounts Officer provided that the subscriber shall; along with such notice send a fresh nomination which shall be made in accordance with the provisions of this regulation.

(v) A subscriber may provide in a nomination-

(a) In respect of any specific nominees that in the event of his predeceasing the subscriber, the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination, provided that such other person or persons shall, if the subscriber has other members of his family, be such other member or members.

(b) That the nomination shall become invalid in the event of the happening of a contingency specified therein:

Provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family:

Provided further that if at that time of making the nomination, the subscriber has only one member of the family, he shall provide in the nomination that the right conferred upon the alternative nominee under sub-clause (a) shall become invalid in the event of his subsequently acquiring other member in his family.

(vi) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under sub-clause(a) of clause(v) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of sub-clause(b) of clause(v) of the proviso thereto the subscriber shall send to the Chief Accounts Officer a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provisions of his regulation

(vii) Every nomination made and every notice of cancellation given by the subscriber shall to the extent to that it is valid, take effect on the date on which it is received by the Chief Accounts Officer.

(viii) Every subscriber shall review his nomination once in five years and confirm or intimate any change in the nomination if necessary.

6. Subscriber's accounts.- An account shall be prepared in the name of each subscriber and shall show the amount of his subscriptions with interest thereon calculated as provided in sub-rule(11)-

(i) The subscription from subscriber; and

(ii) The interest on subscription paid by the Board.

7.Conditions and rates of subscriptions.- (i) Every subscriber shall subscribe monthly to the fund when on duty or foreign service, but not during a period of suspension:

(i) Provided that a subscriber on a reinstalment after a period passed under suspension shall be allowed the option of paying in one sum, or in instalments, any sums not exceeding the maximum amount of arrears of subscriptions permissible for that period and provided further that a subscriber shall not subscribe to the fund during the last four months of service in respect of persons retiring or attaining the age of superannuation.

(ii) A subscriber may, at this option, not subscribe during leave.

(iii) The subscriber shall intimate his election not to subscribe during leave in the following manner: -

(a) If he is an officer who draws his own pay bills by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave; and

(b) If he is not an officer who draws his own pay bills, by written communication to the head of his office before he proceeds on leave. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe.

The option of a subscriber intimated under this clause shall be final.

(iv) A subscriber who has under regulation 26 withdrawn the amount of subscriptions and interest thereon, shall of subscribe to the fund after such withdrawal, unless and until he returns to duty.

8. (i) The amount of subscriber shall be fixed by the subscriber himself, subject to the following conditions, namely: -

(a) It shall be expressed in whole rupees and shall be in multiples of Rs.5.

(b) It may be any sum so expressed not less than the rates indicated in the Table in the Fifth Schedule to these regulations.

NOTE.- (1) If $6\frac{1}{2}$ per cent of emoluments represents a sum not expressible in whole rupees, nearest sum in whole rupees shall be taken as the subscription, fifty paise being counted as the next higher rupee.

(2) Recovery in respect of arrears of subscriptions in the fund due from subscribers for the previous months shall be made in the pay bills for the subsequent months in which a manner that not more than one month's arrears subscriptions shall be deducted in a month's pay bill.

(a) In the case of a subscriber who was in Board's Service on the 31st March of the preceding year, the emoluments to which he was entitled on that date, provided as follows:-

(i) If the subscriber was on leave on the said date and has elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the emoluments to which he was entitled on the first day after his return on duty.

(ii) If the subscriber was on deputation out of India on the said date or was on leave on the said and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India; and

(iii) If the subscriber joined the fund for the first time on a day subsequent to the said date, his emoluments shall be the emoluments to which he was entitled on such subsequent date; and

(b) In the case of a subscriber who was not in Board's service on the 31st March of the preceding year, the emoluments to which he was entitled on the first day of his service or if he joined the fund for the first time on a date, subsequent to the first day of his service, the emoluments to which he was entitled on which subsequent date;

(iii) The subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner:-

(a) If, he was on duty on the 31st March of the preceding year, by the deduction which he makes in this behalf from his pay bill for that month.

(b) If he was on leave on the 31st March of the preceding year and has elected not to subscribe during such leave or was under suspension on that date by the deduction which he makes in this behalf from his first pay bill after his return to duty.

(c) If he has entered Board's service for the first time during the year, or joins the fund for the first time, by the deduction which he makes in this behalf, from his pay bill for the month during which he joins the fund.

(d) If he was on leave on the 31st March of the preceding year, and continues to be on leave and has elected to subscribe during such leave, by the deduction which he causes to be made in this behalf from his salary bill for that month.

(e) If he was on foreign service on the 31st March of the preceding year, by the amount credited by the foreign employer to the board on account of subscription for the month of April in the current year; and

(iv) The amount of subscription so fixed may be reduced once at any time during course of the year or may be enhanced twice during course of the year.

Provided that if a subscriber is on duty for a part of a month and on leave for the remainder of that month, and if he has elected not to subscribe during leave the amount of the subscription payable shall be proportionate to the number of days spent on duty in the month.

9. Realisation of subscriptions.- (i) When emoluments are drawn from the Board recovery of subscriptions on account of these emoluments and of the principal and interest of advances shall be made from the emoluments themselves.

(ii) When emoluments are drawn from a foreign employer the foreign employer shall recover and forward the dues monthly to the Chief Accounts Officer failing which, the subscriber shall forward his dues monthly to the Chief Accounts Officer.

11. Interest.- (i) The Board shall pay to the credit of the account of a subscriber, interest at such rate as the Governemt may from time to time prescribe for their servants, on the amount at his cerdit in the fund.

(ii) Interest shall be credited with effect from the 31st March of each year in the following manner; -

(a) On the amount of the credit of a subscriber on the 31st March of the preceding year, less any sums withdrawn during the current year interest for twelve months.

(b) On sums withdrawn during the current year interest from the begining of the current year up to the last day of the month preceding the month of withdrawal.

(c) On all sums credited to the subscriber's account after the 31st March of the preceding year interest from the date of deposit up to 31st March of the current year.

(d) The total amount of interest shall be rounded off to the nearest whole rupee (fifty paise counting as the next higher rupee).

Provided that when the amount standing at the credit of a subscriber has become payable interest shall thereupon be credited under this subrule in respect only of the period from the begining of the current year or from the date of deposit asthe case may

be up to the date on which the amount standing at the credit of the subscriber become payable.

(iii) For the purpose of this regulation, the date of deposit shall.

(a) in the case of recoveries from emoluments, be deemed to be the first day of the month in which they are recovered;

(b) in the case of amounts forwarded by the subscriber deemed to be the first day of the month of receipt if they are received by the Chief Accounts Officer before the fifth day of that month or the first day of the next succeeding month, if they are received on or after the fifth day of that month.

(c) in the case of amounts forwarded by the foreign employer, deemed to be first day of the month of receipt if they are received by the Chief Accounts Officer before the fifteenth day of that month or the first day of the next succeeding month, if they are received on or after the fifteenth day of that month.

Provided further that when there has been a delay in the drawal of pay or leave salary and allowances of a subscriber and consequently in the recovery of his subscription towards the fund. The interest on such subscriptions shall be payable from the month in which the pay or leave salary of the subscriber was due under the rules irrespective of the month in which it was actually drawn.

(iv) When the account of a subscriber is closed, interest on the amount standing to his credit shall be paid up to the end of the month preceding that in which payment is made:-

Provided that no interest shall ordinarily accrue on the subscriber's account for a period in excess of six months after the date which the Chief Accounts Officer has intimated to that person (or his agent) as the date on which he is prepared to make payment in cash or if he pays by cheque after the date on which the cheque in that person's favour is put in the post.

(v) Interest shall not be credited to the accounts of a Muslim subscriber, if he informs the Chief Accounts Officer that he does not wish to receive it, but if he subsequently asks for interest, it shall be credited with effect from the 1st day of April of the year in which he asks for it, or he had joined the fund during the year, from the date of his joining the fund.

(vi) A special interest at the rate of 8 per cent shall be paid on all the provident fund accumulations remaining unpaid for more than three months from the month in which such accumulation became payable.

12.Advances from the fund.- A temporary advance may be granted to a subscriber from the amount standing to his credit in the fund at the discretion of the competent authority specified in the Fourth Schedule, subject to the following conditions: -

(a) No advance shall be granted unless the sanctioning authority is satisfied that the applicant's pecuniary circumstances justify it, and that it will be expended on the following object or objects and not otherwise.

(i) To pay expenses in connection with the prolonged illness of the applicant or any person of his family.

NOTE:- An advance is permissible to meet the expenses on account of "confinement" (1) in cases necessitating prolonged medical attention, prolonged stay in a hospital or protracted treatment and (2) in other circumstances involving expenditure disproportionate to the subscriber's income.

(ii) To meet the cost of higher education, including where necessary the travelling expenses of the subscriber or any person actually dependent on him in the following cases namely: -

(a) for education outside India for academic, technical, professional or vocational course and

(b) for education in India

(1) In the case of non-gazetted officers for all degree courses; and

(2) In the case of employees of the Tamil Nadu Slum Clearance Board Non-Technical Officers Service and Tamil Nadu Slum Clearance Board Engineering Officers Service, for any medical, engineering or other technical or specialized course.

Explanation.- For the purpose of this rule, specialized course shall include a course leading to M.sc., (Ag.) and B.sc., (Ag.) degree in Agricultural Science, M.V.Sc, and B.V.Sc degree in Veterinary Science but shall not include degree courses such as B.A., B.Com., B.Sc., M.A, M.Com, and M.Sc., degree courses irrespective of the period of study.

(iii) to pay obligatory expenses on a scale appropriate to the applicant's status which by customary usage the applicant has to incur in connection with marriages, funerals or other ceremonies:

Provided that the condition of actual dependence shall not apply in the case of son or daughter of the subscriber.

(iv) to meet the cost of legal proceeding instituted by the subscriber for indicating his position in regard to any allegations made against him in respect of any act done or purporting made against him in respect of any act done or purporting to be done by him in the discharge of his official duty the advance in the case being available in addition to any advance admissible for the same purpose from the Board's any other source:

Provided that the advance under this sub-clause shall not be admissible to a subscriber who instituting legal proceedings in any Court of Law either in respect of any matter unconnected with his official duty or against the Board in respect of any conditions of service or penalty imposed on him.

(v) to meet the cost of his defence when he is prosecuted by Government in any Court of law or where the subscriber engaged a legal practitioner to defend himself in an enquiry in respect of any alleged official misconduct on his part.

(vi) to meet the cost of additional construction for residence.

(b) An advance shall not, except for special reasons exceed three months pay or half the amount of subscriptions and interest thereon standing to the credit of the subscriber in the fund whichever is less.

(c) There shall be an interval of six months between two consecutive temporary advances.

(d) Notwithstanding anything contained in clauses (b) and (c) the advance to be sanctioned for the purpose of sub-clause (iv) and (v) of clause (a) shall not exceed three months pay or Rs.500 whichever is greater, and shall in no case exceed the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund.

(e) The sanctioning authority shall record in writing its reason for granting the advance provided that if the reason is of a confidential nature, it may be communicated to the Chief Accounts Officer confidentially.

13. (i) When there is an advance running it should be consolidated when a second advance is sanctioned and the subsequent instalments for recovery of advances shall be

fixed with reference to the consolidated amount. the advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct but such number shall not be less than twelve, unless the subscriber elects, and more than twenty four. In special cases where the amount of advance exceeds three month's pay of the subscriber under clause (b) of regulation 12, the sanctioning authority may fix such number of instalment to be more than twenty-four but in no case more than thirty-six. A subscriber may, at this option, make repayment in smaller number of instalments than that prescribed. Each instalment shall be number of whole, rupees, the amount of the advance being raised reduced, if necessary, to admit of the fixation of such instalment. No interests shall be charged on the temporary advances.

(ii) Recovery shall be made in the manner prescribed in regulation 10 for the realization of subscription. Whenever an application for the sanction of advance is recommended to the sanctioning authority for sanction, the recovery of advance should be stopped. Recovery should be given effect to as soon as the orders sanctioning the advance, are received. However, if the advance is drawn before the 16th of a particular month recovery shall be commenced from the pay for the month itself. Otherwise recovery shall commence from the pay for the subsequent months.

(iii) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed the whole or balance of the amount withdrawn, shall with interest at the rate provided in regulation, 11, forthwith be repaid by the subscriber to Officer to be recovered by deduction from the emoluments of the subscriber in a lumpsum or in monthly instalments not exceeding twelve, as the Chairman may direct:

Provided that Muslim subscribers whose deposits in the fund carry no interest shall not be required to pay any interest.

(iv) Recoveries made under this regulation shall be credited, as they are made, to the account of subscriber in the fund.

14. Withdrawals from the Fund.- (i) Subject to the conditions specified herein, withdrawals may be sanctioned by the authorities competent to sanction an advance for special reasons under clause (b) and (c) of regulation 12 any time.

(A) After the completion of fifteen years of service (including broken period of service, if any) of a subscriber or within ten years before the date of his retirement, whichever is earlier, from the amount of subscription and interest thereon standing to

the credit of the subscriber in the Fund, for one or more of the following purposes, namely: -

(a) Meeting the cost of Higher Education (including where necessary, the travelling expenses) of any child of the subscriber actually dependent on him in the following cases, namely: -

(i) For education outside india for academic, technical, provisional or vocational course, and

(ii) For education in India

(1) in the case of non-gazetted officers, for all degree courses; and

(2) in the case of employees of the Tamil Nadu Slum Clearance Board Non-Technical Officers Service and Tamil Nadu Slum Clearance Board Engineering Officers Service for any medical , engineering or other technical or specialised course.

Explanation.- For the purpose of this rule, specialized course shall include a course leading to M>Sc (Ag.) and B.Sc. (Ag) degrees in Agricultural Science, M.V.Sc, and B.V.Sc., degree in veterinary Science, but shall not include degree courses such as B.A., M.Com., and M.Sc., degree courses irrespective of the period of study.

(b) Meeting the expenditure in connection with the betrothal, marriage of the subscriber's sons or daughters and any other female relations actually dependent on him:

Provided that in respect of the same marriage a subscriber may either withdraw the money either under this regulation or under regulation 12.

NOTE.- A subscriber shall be permitted to make a final withdrawal in connection with the betrothal ceremony as well as in connection with the marriage ceremony of the subscriber's sons or daughters and any other female relations actually dependent on him.

(c) Meeting the expenses in connection with the illness, including where necessary, the travelling expenses of the subscriber or any person actually dependent on him.

(B) After the completion of fifteen years of services (including broken periods of service, if any), of a subscriber or within ten years before the date of his retirement, whichever is earlier from the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund, for the one or more of the following purpose, namely

(a) Building or acquiring a suitable house for his residence including the cost of the site or repaying any outstanding amount on account of the loan expressly taken for this

purpose before the date of receipt of the application for withdrawal but not earlier than twelve months of that date, or reconstructing or making additions or alterations to a house already owned or acquired by a subscriber;

(b) Purchasing a house-site or repaying any outstanding amount on account of loan expressly taken for this purpose before the date of receipt of the application for the withdrawal but not earlier than twelve months of that date for constructing a house on a site purchased utilising the sum withdrawn under clause(b).

NOTE.- A subscriber who has availed himself of an advance under the scheme for the grant of loan for building purposes sponsored by the State or Central Government, or has been allowed any assistance in this regard from any other Government source, shall be eligible for the grant of final withdrawal under sub-clauses (a), (b) (c) of clause (B) for the purpose specified therein and also for the purpose specified therein and also for the purpose of repayment of any loan taken under the aforesaid scheme subject to the limit specified in the provision to clause (i) of Rule 15

(ii) The actual withdrawal from the Fund shall be made only on receipt of an authorization from the Chief Accounts Officer who will arrange this as soon as the formal sanction of the sanctioning authority has been issued.

(iii) Only one withdrawal shall be allowed for a purpose. Part final withdrawal shall also be sanctioned only once a year (i.e) there should be only one part-final withdrawal in a year, whatever may be the purpose.

15. Conditions for withdrawals.- (i) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in regulation 15 from the amount standing to his credit in the Fund shall not ordinarily exceed one half of the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund or six months pay, whichever is less. The sanctioning authority may, however sanction the withdrawal of an amount in excess of this limits up to three-fourth of the amount of subscriptions and interest thereon standing to the credit of the subscriber in the Fund; having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber and (iii) the amount of subscription and interest thereon standing to the credit to the subscriber in the fund;

Provided that in no case the maximum amount of withdrawal shall exceed Rs. 1,25,000 or 75 times the monthly pay, whichever is less, provided further that in the case of a subscriber who has availed himself of an advance under the scheme for the grant of advances for house building purpose sponsored by State or Central Government or has

been allowed any assistance in this regard from any other Government sources, the sum withdrawn under this sub-rule together with the amount of advance taken under the aforesaid scheme or the assistance taken from any other Government source shall not exceed Rs. 1,25,000 or 75 times the monthly pay, whichever is less.

(ii) A subscriber who has been permitted to withdraw money from the Fund under regulation 14 shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilized for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lumpsum, together with interest thereon at the rate determined under regulation 12, by the subscriber to Fund and in default of such payment, it shall be ordered by the Chief Accounts Officer, to be recovered from his emoluments either in a lumpsum or in such number of monthly instalments as may be determined by the Chairman.

(iii) Nothing in clause (ii) shall be deemed to require a subscriber whose deposits in the Fund carry no interest, to pay any interest on any sum repayable by him under that clause.

16. Conversion of an advance into a withdrawal.- A subscriber who has already drawn or may draw in future an advance under regulation 13 for any of the purposes specified in sub-clauses (a), (b) and (c) of clause (i) (A) of regulation 14 may convert at his discretion, by written request addressed to the Chief Accounts Officer, the sanctioning authority the balance outstanding against it into a final withdrawal on his satisfying the conditions laid down in Rules 14 and 15.

17. Payments towards Insurance Policies.- (i) At the request in writing of any subscriber, the Chief Accounts Officer may permit him to insure under a Policy of life Insurance monthly premium of which to be paid by the Board, shall not exceed the total of his monthly subscription on the date of request with an approved policy for such amount and period and in such manner as may be agreed upon:

Provided that-

(a) Such a policy shall be effected in the name of the subscriber who shall assign it in favour of the Chairman and hand it over to the Chairman.

(b) Such policy shall as long as the subscriber is in the employment of the Board and as long as the policy is in force, belong to the Board and no interest in it shall vest in

favour of the subscriber, on whose life it has been effected, or in his nominees shall have any right to interface with the policy.

(c) The Board shall not be half liable for any loss or damage that may arise as a result of life insurance effected at the subscriber's request under this rule.

(ii) In the event of-

(a) retirement

(b) resignation

(c) discharge

(e) Dismissal of subscriber for any case whatsoever, the policy effected on his life; still in force shall be reassigned and returned to him.

(iii) In the event of the subscriber's transfer to another office or institution permanently, the policy shall be reassigned to him.

(iv) On the death of a subscriber, the policy shall be Reassigned to such person as may be legally entitled to receive it.

(v) If a policy matures while the subscriber is still in service, the proceeds thereof shall be realized by the Chief Accounts Officer and placed to the credit of his account: -

Provided that in the event of the amount so realized exceeding the whole of the amount paid by the Board in premia during the currency of the Policy, along with interest which would have accrued thereon, had the amount paid in premia been held in his account, such excess shall be paid to the subscriber.

(vi) If while the subscriber is on leave, the amount of his subscription falls short of the premia payable to the insurance company, the differences shall be deducted from his leave salary:

Provided that in the event of a subscriber being on leave without pay and the Chief Accounts Officer having to advance the whole or any portion of the premia due on the policy, the advance so made plus interest thereon, at the rate prescribed for advances, shall be deducted from his salary on his return from leave in such instalments as the Chief Accounts Officer may prescribe.

(vii) A subscriber may, at any time repay either in full or in part amount paid by the Board to life insurance premia from his Provident Fund Account such repayment shall

be credited to his account and shall be eligible for interest like subscription. In case of full repayment, the policy shall be reassigned.

18. The provisions in rule 17 shall apply only to subscribers who have taken policies of life insurance before 1st April 1963, premium of which have to be paid from the Fund. such subscribers shall not be permitted to take up new policies to be financed from the Fund.

19. Circumstances in which accumulations are payable.- When a subscriber quit the service, the amount standing to his credit in the Fund shall, subject to any deduction under rules 24 and 25 become payable to him.

Provided that where a subscriber is dismissed, removed, discharged, compulsorily retired or invalidated from service the amount standing to his credit in the fund shall not be paid to him.

(a) If he has preferred any appeal against such dismissal, removal, discharge, compulsory retirement or invalidation, until the appeal is disposed of or unless he states in writing that he will not prefer an appeal:

Provided further that a subscriber, who has been dismissed, removed or discharged from service or compulsorily retired from service as a disciplinary measure or invalidated from service and is subsequently reinstated in service, shall if required to do so by the Board, repay any amount paid to him from the Fund in pursuance of this regulation with interest thereon at the rate provided in rule 12 in the manner provided in the proviso rule 20. The amount so repaid shall be credited to his account in the fund:

Provided further that where a subscriber resigns his appointment and his resignation is accepted with retrospective effect, the amount standing to his credit in the Fund shall be deemed to have become payable only after the issue of orders accepting the resignation of the subscriber.

20. When a subscriber:-

(a) has proceeded on leave preparatory to retirement, or

(b) While on leave, has been permitted to retire or declared by a medical authority to be unfit for further service, the amount of subscriptions and interest thereon standing to his credit in the fund shall, upon application become payable to the subscriber:

Provided that the subscriber, if he returned to duty, shall if required to do so by the Board repay to the Fund for credit to his account, the whole or part of any amount paid to

him from the Fund in pursuance of this rule, with interest thereon at the rate provided in rule 12 in cash or securities or partly in cash and partly in securities by instalments or otherwise by recovery from his emoluments or otherwise as the Board may direct.

21. Subject to any deduction under rules 24 and 25 on the death of subscriber before the amount standing to his credit has become payable or where such amount has become payable, before payment has been made.

(1) When the subscriber leaves a family:

(a) If a nomination made by the subscriber in accordance with the provisions of rule 5 in favour of a member or members of his family subsist, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.

(b) If no such nomination in favour of a member or members of the family of the subscriber subsists or if such nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which, the nomination does not relate, as the case may be shall notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in equal shares.

Provided that no share be payable to:-

(1) Sons who have attained legal majority;

(2) Sons of a deceased son who have attained legal majority;

(3) Married daughters whose husbands are alive;

(4) Married daughters of a deceased son whose husbands are alive.

Provided also that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of items(1) of the first proviso.

(ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of regulation 5 in favour of any person or persons subsists, the amount standing to his credit in the Fund or the Part thereof to which the nomination relates, shall become payable to his nominees in the proportion specified in the nomination.

NOTE.- Payment Provident Fund money due to a minor beneficiary of a deceased subscriber may be made without requiring the court, to the natural guardian, or in the

absence of a natural guardian to the persons considered fit by the head of the office to receive payment on behalf of such minor beneficiary if the share of such beneficiary does not exceed Rs.500 and the total amount payable to all the minor beneficiaries in one particular case does not exceed Rs. 1,000;

Provided that before payment is made, the person receiving payment executes a bond signed by two sureties, agreeing to indemnify the Board against any subsequent claim which might arise;

Provided further that incase governed by Hindu law, payment may be made at the discretion of the Board without requiring the production of a guardianship certificate from the Court to a Hindu widow of a deceased subscriber on behalf of her minor children other than stepchildren, irrespective of the limit of Rs.500 and Rs.1,000 specified above, she may if considered expedient, be required to execute a bond signed by two sureties agreeing to indemnify the Board against any subsequent claim which might arise before the payment is made.

22. No reduction may be made which reduces the credit by more than an amount of any contribution by the Board with interest thereon before the amount standing to the credit of a subscriber in the Fund is paid out of the fund.

23. Any amount due under a liability incurred by the subscriber to the Board may be recovered from the Board's contribution to his account and the accumulated interest thereon.

24. The Board's contribution to a subscriber's account and the accumulated interest thereon shall not be payable to a subscriber.-

(a) Who has been dismissed or removed from service for grave misconduct; or

(b) Who has subscribed to the Fund for less than Five years.

25. Deductions.- (i) When the amount standing to the credit of a subscriber in the Fund or the balance thereof, after deduction under Regulations 23 and 24 becomes payable, it shall be the duty of the Chief Accounts Officer to make payment after satisfying himself regulations, that no deductions is to be made.

(ii) If the person to whom, under these regulations any amount of policy is to be paid designed, reassigned or delivered is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, 1912 (Central Act IV of 1912), the payment or reassignment of delivery will be made to such mahager and not to the lunatic.

(iii) Any person who desires to claim payment under this rule shall send a written application in that behalf to the Chief Accounts Officer.

NOTE.- When the amount standing to the credit of a subscriber has become payable the Chief Accounts Officer shall authorise prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt the balance being adjusted as soon thereafter as may be.

26.Procedure.- Sums of which payment has not been taken within six months after they become payable under these regulations shall be transferred to "Deposits" after the 31st March of the year and treated under the ordinary rules relating to deposits.

27. When paying a subscription either by deduction from emoluments or in cash a subscriber shall quote the number of his account in the Fund, which shall be communicated to him by the Chief Accounts Officer. Any change in the number shall similarly be communicated to the subscriber by the Chief Accounts Officer.

28. (i) As soon as possible after the 31st March of Each Year, the Chief Accounts Officer shall send to each subscriber a statement of his account in the Fund, showing the opening balance as on the 31st March of the Year and the closing balance on that date. The Chief Accounts Officer shall attach to the statement of account an enquiry whether the subscriber.

(a) desires to make any alteration if any nomination made under rule 5;

(b) has acquired a family [in cases where the subscriber has made no nomination in favour of a member of his family under the proviso to clause (i) of rule 5]

(ii) Subscribers should satisfy themselves as to the correctness of the notice of the Chief Accounts Officer within three months from the date of receipt of the statement.

FORMS - FIRST SCHEDULE

(see Rule 5)

FORMS OF NOMINATION

1. When the subscriber has a family and wishes to nominate one member thereof: -

I hereby nominate the person mentioned below, who is member of my family as defined in rule 2, of the Tamil Nadu Slum Clearance Board Provident Fund Rules, 1980 to receive the amount that may stand to my credit in the Fund, in the event of my death before the amount has become payable, or having become payable has not been paid.

Name and address of nominee	Relationship with subscriber	Age	Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person, if any to whom the right of the nominee

Dated, this _____ day of _____

19_____ at _____

Two witnesses to signature

1.

2.

II. When the subscriber has a family and wishes to nominate more than one member thereof.

I hereby nominate the persons mentioned below, who are members of my family as defined in regulation 2 of the Tamil Nadu Slum Clearance Board Provident Fund Rules to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has been paid, and direct , that said amount shall be distributed to the said persons in the manner shown below against their names: -

Name and address of	Relationship with subscriber	Age	*Amount of share of accumulations to be paid	Contingencies on the happening of which the	Name, address and relationship of the

Dated, this_____day of_____

19_____at_____

Two witness to signature:

Signature of Subscriber

1.

2.

*NOTE.- This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time

III. When the Subscriber has no family and wishes to nominate one person.

I having no family as defined in regulation 2 of the Tamil Nadu Slum Clearance Board Provident Fund Rules hereby nominate the person mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before the amount has been payable, or having become payable, has not been paid.

Name and address of nominee	Relationship with subscriber	Age	*Contingencies on the happening of which the	Name, address and relationship of the

Dated, this. _____ day of. _____

19 _____ at _____

Two witness to signature: Signature of subscriber

1.

2.

* NOTE.- Where a subscriber who has no family makes a nomination he shall specify in the column that the nomination shall become invalid in the event of his subsequently acquiring a family.

IV. When the subscriber has no family and wishes to nominate more than one person.

I having no family as defined in regulation 2 of the Tamil Nadu Slum Clearance Board Provident Fund Rules, 1980 hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund in the event of death before that amount has become payable, or having become payable, has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names.

Dated this, _____ day of, _____

19 _____ at _____

Two witness to signature: Signature of subscriber

1. and 2.

*NOTE:- This column should be filled in so as to cover the whole amount that may stand to the credit of the subscriber in the Fund at any time.

** NOTE.- Where a subscriber who has no family makes invalid in the event of his subsequently acquiring a family.

SECOND SCHEDULE

(See Rule 18)

FORMS OF ASSIGNMENT

I, A.B. of hereby assign unto the Chairman, the Tamil Nadu Slum Clearance Board the within policy of assurance as security for payment of all sums which under regulation as security for payment of all sums which under regulation 18 of the Tamil Nadu Slum Clearance Board Provident Fund Rules, 1980, I may hereafter become liable to pay to the Tamil Nadu Slum Clearance Board Provident Fund.

I hereby Certify that no prior assignment of the within policy exists.

Dated, this _____ day of _____

19_____

Signature of Subscriber

One witness to signature

STATION:

THIRD SCHEDULE

(See Rule 18)

FORMS OF REASSIGNMENT AND ASSIGNMENT BY THE

CHAIRMAN

(1) All sums which have become payable by the above named A.B. under regulation 18 of the Tamil Nadu Slum Clearance Board Provident Fund Rules, 1980 having been paid and / or all liability for payment by him of any such sums in the future having ceased, the Chairman Tamil Nadu Slum Clearance Board the within policy of assurance to the said A.B. / A.B. and C.D.

Dated, thisday of 19

Chief Accounts Officers for any on behalf
of the Chairman. Tamil Nadu Slum
Clearance Board in the presence of

Signature of the Chief Accounts
Officer,

(One witness who should add his designation and address.)

The above named A.B. having died on the day of 19 the Chairman, Tamil Nadu Slum Clearance Board both hereby assign the within policy of assurance to C.D.*

Dated, thisday of 19

Executed by

Chief Accounts Officers for any on behalf
of the Chairman, Tamil Nadu Slum
Clearance Board in the presence of

Signature of the Chief Accounts
officer,

(One witness who should add his designation and address.)

*Fill in particulars of person legally entitled to receive the policy.

¹[FOURTH SCHEDULE

(Sec Rule 12)

**AUTHORITIES COMPETENT TO GRANT
TEMPORARY ADVANCES**

1. An advance for the grant of which special reasons are not required under clause (b) or clause (c) of rule 12 in respect of the categories mentioned in column (1) below may be sanctioned by the authorities specified in the corresponding entries in column (2), thereof: -

Category (1)	Sanctioning Authority (2)
(a) All the categories under the Tamil Nadu Slum Clearance Board Engineering Officers Service except Executive Engineer. Superintending Engineer and Chief Engineer	
(b) All the categories under the Tamil Nadu Slum Clearance Board Technical Subordinate Service.	Financial Advisor and Chief Accounts Officer.
(c) All the categories under the Tamil Nadu Slum Clearance Board Non-Technical Subordinate Service except Divisional Accountant	
(d) All the categories under the Tamil Nadu Slum Clearance Board Basic Service.	
(e) All the categories under the Tamil Nadu Slum Clearance Work Charged Establishment Service.	
(f) Other categories	Chairman

2. An advance for the grant of which special reasons are required under clause (b) clause (c) of rule 12 may be sanctioned by the Chairman in respect of all the categories under the Board.]

1. Substituted by G.O. Ms. No. 301. Housing and Urban Development, dated 15th April 1993.]

FIFTH SCHEDULE

MINIMUM RATES OF SUBSCRIPTION

Serial Number	Emoluments*	Minimum monthly rate of subscription.
(1)	(2)	(3)
Rs.	Rs.	Rs.
1	185-250	15
2	251-350	20
3	351-500	30
4	501-650	40
5	651-800	50
6	801-1,000	60
7	1,001-1,150	70
8	1,151-1,300	80
9	1,301-1,500	90
10	1,501-1,650	100
11	1,651-1,800	110
12	1,801-2,000	120
13	2,001-2,150	130
14	2,151-2,300	140
15	2,301-2,500	150
16	2,501-2,650	160
17	2,651-2,800	170
18	2,801-3,000	180
19	3,001-3,150	190
20	3,151-3,300	200
21	3,301-3,500	210
22	3,501-3,650	220
23	3,651-3,800	230

24	3,801-4,000	240
25	4,001-4150	250

* Emoluments include pay, Special Pay, Personal Pay, Dearness Pay and Dearness Allowance.

14. TAMIL NADU SLUM CLEARANCE BOARD COMMUNITY DEVELOPMENT SERVICE RULES, 1993

(G.O. Ms. no. 335, Housing & Urban Development, dated 28th April 1993.)

S.R.O.No.A-70/93.- In exercise of the powers conferred by sub-section (1) of section 12 read with section 70 of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act XI of 1971), the Governor of Tamil Nadu hereby makes the following rules: -

RULES

1.Short title and commencement.- (a) These rules may be called the Tamil Nadu Slum Clearance Board-Community Development Service Rules, 1993.

(b) They shall come into force on the 28th April 1993.

2.Constitution.- The Service shall consist of the following categories of posts, namely: -

CATEGORY 1 Chief Community Development Officer.

CATEGORY 2 Community Development Officer.

CATEGORY 3 Community Officer.

3. Method of appointment.- Appointment to the categories and posts mentioned in column (1) of the Table below shall be made in the manner mentioned in the corresponding categories in column (2), thereof

TABLE

Category and name of the post	Method of appointment
(1)	(2)
CATEGORY 1 Chief Community	(i) By Promotion from category 2; or (ii) By deputation of persons possessing requisite

Development Officer	qualification from Government Departments or local bodies or autonomous bodies; or (iii) By direct recruitment
CATEGORY 2 Community Development Officer	(i) By promotion from category 3; or (ii) By deputation of persons possessing requisite qualification from Government Departments or local bodies or autonomous bodies; or (iii) By direct recruitment
CATEGORY 3 Community Officer	(i) By recruitment by transfer from any other ¹ services of the Tamil Nadu Slum Clearance Board; or (ii) By deputation of persons possessing requisite qualification from Government Departments or local bodies or autonomous bodies; or (iii) By direct recruitment

4. Appointment authority.- Appointment to the categories specified in column (1) of the Table below shall be made by the authority specified in the corresponding entry in column (2) thereof: -

1. Substituted by G.O. Ms. No. 420, Housing & Urban Development, Dated 24th October 2001.

TABLE

Category (1)	Appointing Authority (2)
CATEGORIES 1 and 2	The Board
CATEGORY 3	The Chairman

5. Qualification regarding age.- No person shall be eligible for appointment to the categories, by direct recruitment, if he has completed fifty years of age for category 1, forty years of age for category 3 on the date of appointment:

Provided that the said age limit shall not apply to persons belonging to Scheduled Castes and Scheduled Tribes.

6.Special qualification.- No person shall be appointed to the categories and posts specified in column (1) of the Table below, unless he possesses the following qualification specified in the corresponding entries in column (2), thereof:-

TABLE

Category and name of the post (1)	Qualifications (2)
Category 1- Chief Community Development Officer	Must possess a Master's degree in sociology or Social Work or Psychology of a recognized University or a Post Graduate Diploma in Social Work or Sociology and experience in
Category 2- Community Development Officer	Must possess Master's Degree in Sociology or Social Work or Psychology of a recognized University or a Post Graduate in Social Work or Sociology and Experience as Community Officer in Tamil Nadu Slum Clearance Board or in the field of Social Service in any department of Government or in a Registered Social Service Organisation for a period of not less than five years.
CATEGORY 3- Community Officer	Must Possess Master's Degree in Sociology or Social Work or Psychology of a recognized University or a Post Graduate Diploma in Sociology or Social Work or a

Degree in any discipline with five years experience in the field of social service in any department of Government or in a Registered Social Service Organisations.

7. Probation.- Every person appointed otherwise than on foreign service terms, shall be on probation for a total period of two years on duty within a continuous period of three years:

Provided that it shall not be necessary for persons promoted from the Lower category to the next higher category of the service to undergo probation, except in cases supervisory functions are attached to the categories in which case the person shall be on probation for a total period of one year within a continuous period of years.

8. Reservation of appointment.- The rule of reservations of appointment (Part II - General Rule - 14) shall apply to all categories.

9. pay.- There shall be paid to every person holding a post in the categories mentioned in column (1) of the Table below, a monthly pay calculated in accordance with the scale specified in the corresponding entries in column (2)

TABLE

Category and name of the post (1)	Scale of pay (2)
Category 1- Chief Community Development Officer	Rs. 1,000-60-1,300-70-1,650 Provided that the monthly pay of the person holding the post shall be calculated in the scale of Rs. 1,575-90-1,845-100-2,225-110-2,865 from The 1 st October 1984 to the 31 st May 1988 & in the scale of Rs. 2,500-75-3,100-100-4,200 with effect from the 1 st June 1988.
Category 2- Community Development Officer	Rs. 750-50-1,350 Provided that the monthly pay of the person holding the post shall be calculated in the scale of Rs. 1,340-75-1,715-90-2,435 from the 1 st October 1984 to the 31 st May 1988 & in the scale

of Rs. 2,200-75-2,800-100-4,000 with effect from the 1st June 1988.

Category 3-

Rs. 525-25-675-30-855-35-925:

Community Officer

Provided that the monthly pay of the person holding the post shall be calculated in the scale of Rs. 905-45-1,445-50-1,545 from the 1st October 1984 to the 31st May 1988 & in the scale of Rs. 1,600-50-2,300-60-2,660 with effect from the 1st June 1988.

¹[10. **Savings.**- Nothing contained in these rules shall adversely affect any person who is holding the post of community Organiser in the Tamil Nadu Slum Clearance Board on the 20th August 1987 and thereafter.]

1.Substituted by G.O. Ms. No. 62 Housing & Urban Development, dated February 2001.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

21ST January, 1985

(Writ Petition Nos. 11154 and 11282 of 1981.)

HON'BLE MR. JUSTICE RANTNAM

T.K. Saravana Perrumal

Vs

1. State of the Tamil Nadu, rep by the Secretary, Dept of Labour Housing and Urban Development, Madras-7

2.The Tamil Nadu Slum Clearance Board, rep. By its Chairman

3. The Corporation of Madras, rep. By the Commissioner.

Tamil Nadu Slum Areas (Improvement and Clearance) Act (1971), Section 3(1) (a) and (b), and Constitution of India, art, 226 - Absence of any material to show that the requirements laid down in Section, viz., Section 3(1) (a) and (b) were brought to the notice of the Government not made out- Impugned Notification quashed - power of the Court under Article 226.

Constitution of India, Article 226 - powers of the Court to quash a Notification under Slums, etc, Act - Sec Tamil Nadu Slum Areas (Improvement and Clearance) Act.

Section 3(1) of the Tamil Nadu Slum Areas (Improvement and Clearance) Act, enables the State Government to notify any area as a slum area subject to the State Government being satisfied with reference to the matters mentioned under Section 3(i)(a) and (b) of the Act.

(Para 6)

Held: In this case the entire process of notifying the property belonging to the petitioner as a slum area commenced with the letter dated 25-9-1971 addressed by the Chairman of the Slum Clearance Board to the Secretary to Government, Labour Department. A perusal of the details relating to the areas to be declared as slum areas appended to that letter does disclose that the property belonging to the petitioner is or may be a source of danger to the health, safety or convenience of the public of that area or if its neighbourhood, by reason of that property being low lying, insanitary, squalid, over-crowded or otherwise. There is also no reference whatever to the condition of the house as required under Section 3(i) (b) of the Act. In other words, the Board had merely sent up a list of certain areas without reference to the considerations material under Section 3(1) and (b) of the Act.

(Para 7)

In the total absence of material, which would be relevant to enable the State Government to be satisfied about the matters enumerated under Section 3(1) (a) and (b) of the Act, it is impossible to accept the case of the State Government that it had satisfied itself about the existence of the conditions laid down under Section 3(1) (a) and (b) of the Act and only thereafter proceeded to declare the property belonging to the petitioner as a slum area under Section 3(1) of the Act

(Para 7)

It therefore, follows that in this case, there could not have been any satisfaction at all on the part of the State Government with reference to any of the matters enumerated under Section 3(1)(a) and (b) of the Act. It is true that if there are some materials and if the State Government on a Consideration of those materials, had expressed its satisfaction one way or the other, it may not be proper for the Court to reconsider those materials and ascertain whether the satisfaction of the State Government expressed in a

particular manner, was well-founded or not. But, the present case is one where there is no material whatever at all and the court cannot be precluded from ascertaining whether the State Government was satisfied on the basis of the materials relevant to the requirements under Section 3(1) (a) and (b) of the Act. Thus, on the short at all with reference to any of the matters mentioned in Section 3(1) (a) and (b) of the Act., before it proceeded to declare the property belonging to the petitioner as a slum area under Section 3(1) of the Act and could not, therefore, have been satisfied at all that it was necessary to declare that area as slum area, the impugned notification has to be quashed.

(Para 7)

Writ petition allowed

Mr. P. Subba Reddy for Petitioner and

Mr. J. Kanakaraj, Addl. Govt. Pleader for Respondent.

NOTIFICATION

Housing and Urban Development Department

1. Tamil Nadu Slum Areas (Improvement and Clearance) Act - Date of coming into force of certain municipalities in certain district.

[G.O. Ms. No. 186, Housing & Urban Development [SC.3(1)], 30th April 1999]

No.II(2) /HOU/99 - In exercise of the powers conferred by sub-section (3) of section 1 of Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 (Tamil Nadu Act 11 of 1971), the Governor of Tamil Nadu hereby appoints 30th April 1999, as the date on which all provisions of the said Act shall come into force on the Vandavasi Municipality of Thiruvannamalai district, Kulithalai Municipality of Karur district and the Koothanallur and Thiruthuraiipoondi Municipalities of Thiruvarur district.

APPENDIX

Government of Tamil Nadu

ABSTRACT

ESTABLISHMENT - Tamil Nadu Slum Clearance Board - Non-Technical Subordinate Service - Temporary post of Community Organiser in Tamil Nadu Slum Clearance Board - Adhoc Rules - Issued.

HOUSING & URBAN DEVELOPMENT (SC,2(2) DEPARTMENT

G.O.Ms.No.485

Dated: 10.11.1999

ORDER

For the implementation of Mass Housing Scheme, the Government in their order Ms.No.435, Housing and Urban Development dated 10.3.1987, permitted the Tamil Nadu Slum Clearance Board to appoint 12 Community Organisers to impress upon the people the acceptance of the scheme as envisaged. These posts have not been included in the Service Rules of the Tamil Nadu Slum Clearance Board.

2. The following adhoc rules are, therefore, framed for governing the service, matters of the incumbents attached to the post of Community Organiser in Tamil Nadu Slum Clearance Board, these rules will come into force on the 10th November 1999.

3. The following Notification will be published in the Tamil Nadu Government Gazette.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 38 read with section 70 of the Tamil Nadu Slum Area (Improvement and Clearance) Act, 1971 (Tamil Nadu Act of 11 of 1971), the Governor of Tamil Nadu hereby makes the following adhoc rules for the post of Community Organiser in the Tamil Nadu Slum Clearance Board.

RULES

The General and Special rules applicable to the holders of the permanent posts of Junior Assistant in Category 10 in the Tamil Nadu Slum Clearance Board Non-Technical Subordinate Service shall apply to the holders of the temporary post of Community Organiser in the divisions of the Tamil Nadu Slum Clearance Board.

2.Consitution: - The post shall form a temporary addition to the said category of the said service.

(By Order of the Governor)

SECRETARY TO GOVERNMENT

Government of Tamil Nadu

ABSTRACT

ESTABLISHMENT - Tamil Nadu Slum Clearance Board - Non-Technical Subordinate Service - Temporary post of Community Organiser in Tamil Nadu Slum Clearance Board - Adhoc Rules - Amendent - Orders Issued.

HOUSING & URBAN DEVELOPMENT (SC.2(2) DEPARTMENT

G.O.Ms.No.62

Dated:2.2.2001

ORDER

The following Notification will be published in the Tamil Nadu Government Gazette.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 38 read with section 70 of the Tamil nadu (Tamil Nadu Act 11 of 1971), the Governor of Tamil Nadu hereby makes the following amendment to the adhoc rules for the post of Community Organiser in the Tamil Nadu Slum Clearance Board published in page No.209 in SRO B- 177 /99 Part III - Section 1(b) of the Tamil Nadu Government Gazette, dated the 8th December.

AMENDMENT

In the said rules, after rule, the following rule shall be added, namely:-

“3.Savings:- Nothing contained in these rules shall adversely affect any person who is holding the post of Community Organiser in the TamilNadu Slum Clearance Board on the 20th August 1987 and thereafter.”

(By order of the Governor)

SECRETARY TO GOVERNMENT.