

Copy of:

GOVERNMENT OF TAMIL NADU  
Abstract

Loans and Advances - House Building Advance - Sanction of House Building Advance to Government Servants - sanction of House Building Advance to those against whom disciplinary action is pending under rule 17(a) of the Tamil Nadu Civil Services (Classification, Control and Appeal) Rules - Instructions - Issued.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT.

G.O.Ms.No.436

Dated: 7th June 1984.

Read:

1. G.O.Ms.No.1128 Housing Department dated 27.8.1976.
2. From the Collector of Madras, letter No.HBA I/914/83 dated 14.12.1983.

ORDER:

The Collector of Madras in his letter cited has stated that one Dr.M.Rahmatulla, Professor of Dental Surgeon, Kilpauk Medical College Hospital, Madras has applied for House Building Advance for construction of house and the Dean, Kilpauk Medical College, Madras who is the Head of Office has recommended his request. The Director of Medical Education, Madras, who is the Head of Department has certified that disciplinary action has been initiated against the above doctor under rule 17(a) of Tamil Nadu Civil Services (Classification, control and Appeal) Rules, for his action in having participated in a dental conference abroad, without prior permission. He has also certified that, except this no other disciplinary action is pending against him. The Collector has further stated that, according to the instructions issued in G.O.Ms.No.1128 Housing Department dated 27.8.1976, where there is any departmental proceedings or Tribunal proceedings or Vigilance enquiry pending against a Government servant, then the question of sanctioning House Building Advance will be considered only after the proceedings enquiry against him is finally disposed of. The Collector has requested clarification as to whether this instructions will apply in respect of the applicants against whom disciplinary action is initiated under rule 17(a) of Civil Services (Classification control and Appeal) Rules which will not result in major punishment.

2. The question of sanctioning house building advance to such Government Servants against whom disciplinary action is initiated under the Tamil Nadu Civil Services (classification Control and Appeal) Rules has been examined by Government in detail. Under rule 17(a) of the above rules only minor penalties such as (i) censure, (ii) fine (iii) withholding of increments or promotion, including stoppage at an efficiency bar and (iv) suspension are imposed. Under Rules 17(b) of the above rules, major penalties such as (i) reduction to lower rank in the seniority list or to a lower post (ii) compulsory retirement (iii) dismissal from the Government Service are imposed in as much as the penalties under rule 17(a) of the Civil Services (Classification, Control and Appeal) Rules are only 'minor' and if a Government Servant on whom action is contemplated under this rule is sanctioned House Building Advance there will not be any difficulty in recovering the advance. The Government, therefore, direct that if disciplinary action is initiated against Government Servants under Rule 17(a) of the Tamil Nadu Civil Services (Classification, control and appeal) Rules, even before the sanction of House Building Advance they may be sanctioned House Building Advance, if they request for the same.

..2..

3. The following amendment is issued to the 'State Rules to regulate the grant of advances to State Government servants for building etc., of houses'.

AMENDMENT

In the said rules,  
in rule 1,

The existing note (ii)  
shall be substituted by the following Note (ii)

"where there is any departmental proceedings or Tribunal proceedings or vigilance enquiry is initiated against a Government Servant and if it is clear beyond doubt that action will be taken only under rule 17(a) of the Tamil Nadu Civil Services (Classification Control and Appeal) Rules, even before the sanction of House Building Advance he may be sanctioned House Building Advance if he requests for the same subject to the fulfilment of the other conditions specified in the House Building Advance Rules. If action is to be initiated under rule 17(b) of the above rules, then the question of sanctioning House Building Advance will be considered only after the proceedings enquiry against him is finally disposed of".

4. This order issued with the concurrence of Finance Department vide its U.O.No.34574/ sal.I/84-1 dated 11.4.1984.

(BY ORDER OF THE GOVERNOR)

M.KUMAR,  
SECRETARY TO GOVERNMENT.

//true copy//

Office of the Tamil Nadu Institute  
of Urban Studies, Coimbatore.

RF.19/84/(2047/84/A2) Dated: 3.7.84.

Copy communicated.

Sd/-(G.DHANDAPAN.)  
Director in charge.

To  
All Faculty Members.  
All Staff.

//forwarded by order//

vr/3/7/

6/5/84  
MANAGER.

30/8/84