



GOVERNMENT OF TAMIL NADU

Service Associations – Recognition by Government – Statutory Rules regarding Recognition of Associations – Issued.

PUBLIC (SERVICES-1) DEPARTMENT

G.O.NO.229, 22nd JANUARY 1974

READ- the following papers:-

1. (1) G.O.Ms.No.1835, Public (Services), dated 21st November 1960
- (2) Govt.Memo No.36114/76-2, P.&.A.R.(Per.K), dated the February 1977
- (3) G.O.Ms.No.583, P.&.A.R.(Per.K), dated 15th May 1979.
- (4) G.O.Ms.No.351, P.&.A.R.(Per.K) dated 4th April 1981.
- (5) G.O.Ms.No.1118, P.&.A.R. (Per.K), dated 9th November 1981.

Order-No.229, Public (Services-I), dated 22nd January 1974.

In supersession of the orders issued in the Government Order read above, the Government of Tamil Nadu hereby issue the rules annexed to this order regarding the Recognition of Associations of Government Employees.

(By order of the Governor)

P. SABANAYAGAM
CHIEF SECRETARY TO GOVERNMENT

To

All the Heads of Departments (including Collectors, and District Judges
And District Magistrates(Judicial)

“ all Departments of Secretariat (all Sections)

“ all Recognised Service Associations.

“ all the Director of Stationery and Printing, Madras, for publication
of the Annexure in the Tamil Nadu Government Gazette.

ANNEXURE

RULES REGARDING THE RECOGNITION BY THE GOVERNMENT OF TAMIL

**NADU OF ASSOCIATIONS OF THEIR EMPLOYEES OTHER THAN
ASSOCIATIONS OF INDUSTRIAL EMPLOYEES.**

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Tamil Nadu hereby makes the following rules:-

1. (1) These rules may be called the Tamil Nadu Government Servants' Recognition of Service Associations Rules, 1974.

(3) These rules shall come into force on the 22nd January 1974.

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

(a) 'Government Servant' means the State Government;

1. (b) 'Government Servant' means any person-

(i) to whom the Tamil Nadu Government Servants' Conduct Rule 1973 apply ; or

(ii) who belongs to the Tamil Nadu cadre of the All-India services:

(c) 'Service Association' includes a Federation or a Confederation of Service Associations.

3. Service Associations already recognized – A Service Association which has been recognised by the Government before the commencement of these rules and in respect of which the recognition is subsisting at such commencement, shall be deemed to have been recognised by the Government under these rules and shall continue to be so recognised until the recognition is withdrawn under rule 6.

4. Conditions for recognition of Service Associations – No Service Association shall be recognised by the Government 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. (i) Title of the Association;
- (ii) Headquarters of the Association;
- (iii) The number of members of the Association; and
- (iv) 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 Government servant shall be connected with the affairs of the Service Association;

(d) The Service Association shall not be formed 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 subscriptions from members and grants, if any, made by the Government and these funds shall be applied only for the furtherance of the objective of Service Associations.

(g) The Association seeking recognition should have been in existence for a minimum period of one year before it applies for recognition.

(h) The Association shall have atleast a minimum of 30 per cent of the total number of employees eligible to become members of the Association as its members;

5. Conditions subject to which recognition is granted – Every Service Association recognised or deemed to have been recognised under these rules shall comply with the following conditions, namely:-

(a) All representations by the Service Association shall be submitted through the proper channel, and shall, as a normal practice, be addressed to the Head of the Department Office;

(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 Government annually through proper channel after the general annual meeting so as to reach the Government before the 1st day of July each year. All Service Associations, whose annual turnover is of the order of Rs.10,000 (Rupees Ten thousand) and above shall have their accounts duly audited by a qualified registered Auditor.

(c) Any amendment of the substantial character in the rules of the Service Association shall be made only with the previous approval of the Government and any other amendment of minor character shall be sent through the proper channel to the Government;

(d) The Service Association shall not do any act or assist in the doing of any act which, if done by a Government Servant, would contravene any of the provisions of rules 5, 6, 10, 11, 12 and 18 of the Tamil Nadu Government Servants' Conduct Rules, 1973;

(e) The Service Association shall not address any communication to a foreign authority except through the Government which shall have the right to withhold it;

(f) Communications addressed by the Service Association or by any office-bearer on its behalf to the Government or a Government authority shall not contain any disrespectful or improper language;

(g) The Service Association shall not, without the previous sanction of the Government permit its proceedings to be open to the Press;

(h) The Service Association shall not use a strike or the threat of a strike against the Government as a means of achieving any of the purposes of the Association; and

(i) The Service Association shall have the following rule incorporated among its rules,

namely:-

(j) There shall not be any change in the recognition of an Association for a period of three years, unless there be withdrawal of recognition under rule 6.

(k) The Association shall not adopt a “go-slow” or “work to rule” policy or advise its members to apply for mass casual leave.

(l) Any demonstration shall be peaceful and outside the office premises and not during office-hours.

(m) The Association shall not encourage any unfair labour practice like damage to Government property, interference with normal work and insubordination.

(n) The Association can send representation only on common service matter of its members first, direct to the Head of Department concerned, then to the Secretariat to Government of the respective Department concerned and then to the Government. In respect of individual case, the affected individual can find remedies by following the statutory rules in existence;

(o) Strike shall be deemed to include any demonstrative fast usually called “hunger strike” with the object of compelling something to be done by the Superior Officers. The Service Associations shall not, therefore, indulge in hunger strike with the object to achieve some of their demands.

“6. The Government may, if they are of opinion that a Service Association recognized or deemed to have been recognized under these rules has failed to comply with any of the conditions set out in Rule 4 or Rule 5 or for good and sufficient reasons to be recorded in writing, deserves to be derecognised, withdraw the recognition accorded to such Service Associations, provided that the recognition shall not be withdrawn unless such Service Association has been given an opportunity of making its representations.”

7. The Government may dispense with or relax the requirements of any of these rules to such extent and subject to such conditions as they may deem fit in regard to any Service Association or class of Service Associations.

8. If any question arises as to the interpretation of any of the provisions of these rules, it shall be referred to the Government whose decision thereon shall be final.