GOVERNMENT OF TAMIL NADU

ABSTRACT

Establishment - State Transport Undertakings - Permanent absorption of Government servants in State owned Transport Corporations - Settlement of Terminal benefits - Fixing the crucial date for the permanent absorption in the State Transport Undertakings as 15-9-1975 in respect of all the affected Ex-Tamil Nadu State Transport Department employes for the purpose of sanctioning pensionary benefits - orders issued.

TRANSPORT DEPARTMENT

G.O.Ms.No.250
Date: 18-11-1996.

Thathu, Karthigai 3, Thiruvalluvar Aandu 2027

Read:

6. Representation received from the affected Ex-TNSTD employees.

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ORDER:

In the Government Order fifth read above, orders were issued fixing the crucial date for the permanent absorption in respect of the 48 erstwhile Tamil Nadu State Transport Department employes in the respective Transport Corporations as 15-9-1975 subject to certain conditions laid down in the Government Order.

2. The other similar affected employees have now represented to the Government, to fix the crucial date for their permanent absorption in the Transport Corporations as 15-9-1975 and to sanction pensionary benefits based on the conditions stipulated in the Government Order fifth read above. These affected employees have also expressed their willingness to get the benefits from 1-1-1986 onwards instead of 15-9-1975 and also given their consent to withdraw their cases pending before the High Court, Madras, if any, in this regard.
3. The Government after careful examination have decided to accept the request of such affected employees in order to avoid discrimination among the same group of employees. Accordingly, the Government direct that the crucial date for the permanent absorption in the respective Transport Corporations be fixed as 15-9-1975 in respect of all the affected employees of the erstwhile Tamil Nadu State Transport Department who were not eligible for pension due to the fixation of crucial date as 1-5-1975, but become eligible for pension if the crucial date is fixed as 15-9-1975 in their cases also, subject to the following conditions:

i. The pensionary benefits will be granted to those who have completed 10 years of net qualifying Government service as on 15-9-1975, excluding leave on loss of pay, period of suspension treated as specific punishment etc., if any, had they been allowed to remain in the erstwhile Tamil Nadu State Transport Department till 14-9-1975, reckoning qualifying service as per the Government Order in G.O.Ms.No.24, Finance (Pension) Department, dated:13-1-1986.

ii. Pensionary benefits alone will be considered and no other benefits will be allowed.

iii. No arrears of pension will be given to the petitioners for the period prior to 1-1-1986.

iv. These benefits will be given to those who are eligible as per (i) above and give their consent in writing to receive the arrears of pension from 1-1-1986 onwards only foregoing the arrears of pension prior to 1-1-1986 and (ii) above and also to withdraw the Court cases if any filed by them in any Court in this regard.

v. Any small benefits that these employees were allowed earlier by the State Transport Undertakings concerned taking them in their fold as on 1-5-1975 like Employer's share of Contributory Provident Fund, settlement benefits under Industrial Dispute Act on encashment of unavailed portion of Medical Leave and benefit of Longevity Pay Scheme in fixation of pay and review on 1-5-1975 need not be gone into, at this distance of time for the purpose of re-working, taking 15-9-1975 as the cut-off date. This means that whatever was allowed earlier, whether it was to the benefit of the individuals or otherwise shall not be re-opened.

4. The Managing Directors of State Transport Undertakings are requested to finalise necessary revised terminal benefit proposals taking into account the last date of Government service as 14-9-1975 in respect of the employees whose gratuity settlement was made by the Special Officer, erstwhile Residuary Work Transport Department as per G.O.Ms.No.284, Finance Department, dated 31-3-1980 since the relevant records with Service Registers were handed over to the Managing Directors concerned, consequent on the disbandment of the Office of the Special Officer, erstwhile Residuary Work Transport Department during 1984 and forward them to the Under Secretary (Transport), Transport Department, Chennai-9 who will scrutinise the same and forward them to Accountant-General for issue of Admittance report in this regard. In respect of other cases where settlement of gratuity was made by the Government in Transport Department as per the orders issued in G.O.Ms.No.1028.
Transport dated 23-9-1985, necessary proposal will be finalised and sent to Accountant General by the Under Secretary (Transport) since the relevant records are preserved in Transport Department, Secretariat. In such cases the Managing Directors of State Transport Undertakings are requested to obtain and forward necessary applications from the individuals concerned for sanction of pensionary benefits duly informing the Government letter No. and date in which the settlement of gratuity was made earlier along with the undertaking/consent as per clause iv in para 3 above.

5. The Accountant General is requested to admit the terminal benefit received from the Under Secretary to Government, Transport Department and the terminal benefit amount shall be authorised for payment through the respective Transport Corporations based on the orders issued in the Government Order fourth read above.

6. This order issues with the concurrence of Finance Department vide its U.O.No.4895/FS/P/96, dated 15-11-1996.

(BY ORDER OF THE GOVERNMENT)

K. MADHAVAN NAIR,
Secretary to Government.

To

The Managing Directors of all State Transport Undertakings.