

**7.1 Government Servant who completed fifty years of age or thirty years of qualifying service - To be retired in the public interest - Instructions**

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Personnel and Administrative Reforms (Per.R) Department

G.O. No. 623

Dated : 14.07.1983

**ORDER**

The Santhanam Committee on prevention of corruption constituted by the Government of India recommended that the Government should have the power to retire compulsorily a Government Servant who has completed 25 years of qualifying service or on attaining 50 years of age, if his continuance is against public interest. Based on the above recommendation, this Government also issued orders in March 1972 to the effect that the appointing authority shall, if it is of the opinion that it is in the public interest so to do, have the right to retire any Government Servant by giving him a notice of not less than three months in writing or three months pay an allowances in lieu of such notice after he has attained the age of 50 years or after completion of 25 years of qualifying service, whichever is earlier. Consequent on the raising of the retirement age of Government Servants from 55 to 58 years the qualifying service of 25 years has been raised to 30, i.e., the Government Servant who has completed 50 years of age (55 years in the case of Basic Servants) or 30 years of qualifying service can be retired in public interest. Provision has also been incorporated in Fundamental Rule 56(d).

2. The existing instructions on the subject relating to compulsory retirement under Fundamental Rule 56(d) including the orders constituting various review committees are hereby consolidated, updated and reissued as in the appendices to this order.

(By order of the Governor)

**T.V.ANTONY**  
SECOND SECRETARY TO GOVERNMENT

## 7. RETIREMENT & PENSION

### APPENDIX I

#### CONSOLIDATED INSTRUCTIONS RELATING TO COMPULSORY RETIREMENT UNDER F.R.56 (d)

Object: The object of the scheme of compulsory retirement is to weed out the dead wood in order to maintain a high standard of efficiency and integrity in the State Services.

2. 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 Government 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 50 years or 55 years in the case of Basic Servants as the case may be or after he has completed 30 years of qualifying service. Appropriate authority means the authority which has the power to make substantive appointment to the post or service from which the Government Servant is required to retire, [Explanation I under F.R.56(d).]

In computing the notice period of three months, the date of service of the notice shall be included. [Explanation III under F.R.56(d).]

3. Procedure for review under F.R.56(d) – (a) There shall be two reviews of the cases of officers for purposes of compulsory retirement under Fundamental Rule 56(d).

(b) The first review, -

- (i) Of the Government Servant in Groups A, B, C and D (other than those belonging to the Tamil Nadu Basis 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 Basic Government Servant under Group D 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;

(c) The second review, -

- (i) of the Government servant in Groups A, B, C and D (other than those belonging to the Tamil Nadu Basic Service) shall be done approximately six months prior to their attaining the age of 55 years; and
- (ii) of the Basic Government Servant under Group D shall be done approximately six months prior to their attaining the age of 58 years;

(d) Notwithstanding anything contained in sub paragraph (b) and (c) above, a review may be taken up at any time if no such, review had been undertaken earlier with reference to sub-paragraphs (b) and (c).

(e) Notwithstanding anything contained in sub paragraph (b) and (d) above, the Government shall have the right to review the case of any Government servant belonging to any of the Groups at any time after the first or the second review if it is of opinion that exceptional reasons such as subsequent work, or the conduct, or the State of physical health of the Government servant justify that his earlier retirement is clearly desirable. (G.O.(Ms).No.1306, P. & A.R.(Per-R), dated: 30th November 1979.).

The cases which are ripe for review for the first half year shall be taken up for review before the 1st July of the previous year. The cases which are due for review in the second half of the year shall be sent before 1st January of the year. (G.O.(Ms).No.761, Public (Ser.A) Department, dated: 19th March 1973.).

The cases of all Officers, who have attained the age of 50/55 years or completed 30 years of qualifying service should be placed before the Review Committee constituted for the purpose (vide Appendix II & III) for review respective of the fact whether they possess good record or not. (vide Circular Memo. No.11391G/78-7 P & AR(Per-R), dated: 6th April 1979.).

4. The following types of cases may be put up before the Review Committee for review:-
- (i) In cases where the Government have reasonable cum believe that an officer is lacking in integrity, this would be an appropriate ground to consider him for compulsory retirement irrespective of an assessment of his ability or efficiency in work.
  - (ii) In cases where Government have reason to believe that an habitually takes bribes but there is no definite proof of a specific anti corruption, or where the officer has a bad reputation and where the abundant suspicion against him even though the guilt may not have established in a criminal case, such case can be brought up for review. (G.O.(Ms).No.761, Public (Ser.A), dated:19th March 1973.).
  - (iii) Cases where an Officer's integrity is not in doubt, but his physical or mental condition is such as to make him inefficient for further surrender him unfit to discharge his duties properly.
  - (iv) Cases of Officers against whom there are repeated complaint corruption;
  - (v) Cases of Government servants who although have done whom lower grades, are not considered adequate for the responsibilities of they occupy or will not be able to perform efficiently in their post for the 3/5 years. (Circular Memo. No.39541/75-139, Pub. (Ser.M), dated: November 1976.).

**GUIDELINES FOR REVIEW COMMITTEES**

5. All Review Committees are advised that they should keep the following guidelines in mind at every Review Meeting under Fundamental Rule 56(d):-

- (i) Before the cases are put up to the Review Committees, the Personal file of the officers should be brought up-to-date;
- (ii) If adverse remarks in the Personal files were communicated to the officers, the result of their representations, if any, should be recorded in the 'Personal files'.
- (iii) If adverse remarks were not communicated to the concerned Officers, due regard should be given to subsequent reports to assess the weightage to be given to such adverse remarks;
- (iv) Mere pendency of an enquiry against the Officer with the Director of Vigilance and Anti-Corruption should not be taken into consideration for recommending the cases for compulsory retirement;
- (v) Reason for recommending the retirement should be recorded clearly;
- (vi) Scheduled Castes / Scheduled Tribes and more Backward Class Officers should be shown special consideration before their cases are recommended for compulsory retirement. Unless questions of corruption or moral turpitude are involved, the review Committees may err on the liberal side in the case of such officers.  
[Circular Memo. No.39541/75-146,P.&A.R, (Per-M), dated 26th November 1976.]
- (vii) The proceedings of the Review Committee and other records of Government should clearly indicate that material relating to the inquiry / disciplinary proceedings / Court Proceedings pending against the officer was not taken into account while coming to the conclusion whether the officer concerned should be retained in service / retired from service. A certificate to the above effect has also to be furnished in respect of all review of cases.  
[G.O.(Ms).No.191, P. & A.R. (Per.-R), dated 3rd March 1982.]
- (viii) The recommendation of the Head of the Department whether the employee concerned is fit to be retained in service or retired under F.R. 56 (d) should invariably be obtained in writing before the meeting of the Review Committee, with supporting reasons and given adequate weight in the final decision. The Review Committee

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prescribed over by the District Collector for reviewing the cases of 'C' and 'D' group officers, etc., may send its recommendations to Government through the Head of Department concerned and the Head of Department may forward the recommendation of the Review Committee along with its remarks, if any.

[Circular Memo No.39541/75-139, Pub. (Ser-M), dated 8th September 1976 and Lr.No.52369/82-1, P&AR (Per-R), dated 15th October 1982.]

- (ix) In the "Form of recommendation of Review Committee" the names of the Chairman and Members of Review Committee should be invariably type below their signatures, so as to obviate the difficulty in identifying their names.
- (x) Though in the order of compulsory retirement, the reason is mentioned crisply as "Public interest" the Review Committee should indicate clearly in detail in a separate record of its deliberations (not in the ultimate proceedings or recommendation) the grounds on which the Committee has come to the conclusion that the Government servant should be compulsory retired, so that the record of deliberations of the Review Committee will be available for perusal of the High Level Standing Committee, while considering the review petitions of Government Servant compulsorily retired.

[Letter No.60567/81-14, P&AR (Per-R), dated 6th July 1982.]

- (xi) Form of recommendation of Review Committee will be as follows:
  1. Name of the officer
  2. Date of birth
  3. Constitution of the Committee
  4. Recommendation of the review Committee

The Review Committee considered the case of Thiru..... who has completed the age of .....years and /or has completed 30 years of qualifying service on or before the ..... continuance in service. His personal file was perused. The Committee considers that he .....

CHAIRMAN OF THE COMMITTEE  
MEMBERS OF THE COMMITTEE

(1)

(2)

(U.O. Note No. 39541/75-40, Pub.(Ser-M), dated 12.09.1976)

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The following proforma along with the particulars is to be placed before the Review Committee: -

1.	Name of the Government servant	:	
2.	Post held	:	
3.	Date of birth	:	
4.	Date of first regular appointment in Government Service	:	
5.	Date of completion of 50/55/58 years of age	:	
6.	Date of completion of 30 years of qualifying service	:	
7.	Punishments awarded	:	
8.	Lack of integrity	:	
9.	Whether there were / are any complaints of corruption and if so details to be given briefly	:	
10.	Whether any vigilance enquiry is pending / contemplated against him	:	
11.	Whether physically or mentally fit for retention in service	:	
12.	Whether he is adequate and will continue to be adequate for the responsibilities of the post he holds for the next 3/5 years	:	
13.	Remarks of the appointing authority	:	

- (xii) The review Committee should once and for all carefully consider each case and take a final decision. They should judge the official by strict norms / yardsticks in recommending their fitness for continuance in service. The Committee should not be on the liberal side, as it defeats the very purpose for which such Review Committee have been set up.

[Circular Memo No.39541/75/139, Public (Ser-M), dated 8th September 1976.]

- (xiii) Instead of convening a meeting of the Review Committee for Review of cases, when the number involved is not large, the departments of Secretariat may circulate the connected papers to the Members and Chairman of the Committee with the views of the department details of disciplinary action pending or disposed of in the last 5 years and petitions or allegations under examination and then process the case further on the basis of the views recorded therein by the members. However, when the number of cases to be reviewed is large they may arrange to convene the meeting of the committee in consultation with the Chairman.

[U.O. Note no.39601/81-1, P&AR (Per-R), dated 27th May 1981.]

### GENERAL

6. (a) The appointing authorities / Heads of Departments concerned should be made personally responsible to ensure that all the cases that are ripe for review have to be placed before the review committee in time and its recommendations are obtained well before the actual limit is reached and severe action should be taken in regard to any lapse of failure to observe the prescribed time limits.

[U.O. Note No.16966D/79-1, P&AR (Per-R), dated 22nd March 1976]

- (b) In respect of government servants whose services are placed in foreign service or on deputation, the recommendations of the borrowing Government or bodies concerned may

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be got before putting up their cases before Review Committee, if they attain the age of 50 years or completed 30 years of qualifying service at the time of review.

[G.O. (Ms) No.761, Public (Ser-A), dated 19th March 1973.]

- (c) If the Head of the Department is not the Chairman of the Review committee, he should submit the list of Officers, with his recommendation to the Administrative Department of the Secretariat, for placing them before the Review Committee. If the Head of the Department is the Chairman of the Review Committee, he should send the recommendation of the Review Committee to the Administrative Department in the Secretariat for further action.

[Vide Annexure to G.o. (Ms) No.1198, Public (Ser-M), dated 15th April 1976]

7. The specific recommendation of Review Committee concern either for retention in service or for compulsory retirement under F.R. 56 should be obtained.

[Circular Memo. No.11391-G/78-7, P & AR (Per-R), dated 6th April 1979]

- (i) The recommendations of the Committee are considered by Government and decision taken either accepting or otherwise. If the proposal is to retire a person compulsorily under F.R. 56(d) orders of Chief Minister should be obtained. In other cases where it is proposed to allow the incumbent to continue in service circulation of the cases is not necessary. If decided retire a Government servant compulsorily, he should be given three month notice in writing or three months' pay and allowances in lieu of such notice while retiring him from service. The date of compulsory retirement shall be the date of issue of orders compulsorily retiring a Government servant in service. The orders compulsorily retiring a Government servant shall be issued by the appropriate authority who has the power to make substantial appointments to the post or service from which the Government servant required to retire.
- (ii) While issuing orders of compulsory retirement under F.R.56 the grounds that the officer is being compulsorily retired on 'Public interest' should be specified. The Officer compulsorily retired should also be informed that if he so desires he may prefer a review petition, within one month from the date of issue of the order of compulsory retirement.
- (iii) An extract of the recommendation of the Review Committee should be added to the Personal file / Record Sheet of the officer concerned.

[Circular Memo. No. 11391- G/78-7, P & AR (Per-R), dated 6th April 1979.]

- (iv) When an officer is compulsorily retired under Fundamental rule 56 (d), further disciplinary proceedings against such officer should not be pursued and the disciplinary proceedings that are being pursued against an officer compulsorily retired so far shall be dropped and no action need be pursued in such cases.

[G.O.(Ms).no.369, P & AR (Per-R), dated 25th March 1980]

8. (i) In cases where action has been initiated for imposing a major penalty and the proceedings are in the final stages, the disciplinary proceedings may be finalized instead of compulsorily retiring the Officer under F.R.56(d).
- (ii) In case where a Government servant is under suspension and his name is recommended by the Review Committee for compulsory retirement, he cannot straight away be compulsorily retired under F.R.56(d). The suspension orders have to be revoked in the first instance reinstating him to service and the orders for compulsory retirement should be issued. Regulation of the period of suspension will depend on the outcome of the disciplinary proceedings taken against him.

[Circular Memo. No. 39541/75-139, Public (Ser-M), dated 8th September 1976.]

9. Service of the order of compulsory retirement and payment of notice salary:- In all cases of compulsory retirement under F.R. 56(d), wherein it has been decided to retire an Officer by giving him 3 month's notice salary in lieu of three month's notice the retirement order and the notice salary cheque should be served on the individual in person on the date of issue of the order.

The concerned Department of Secretariat or the Head of the Department, as the case may be, should prepare an advance bill for the three months notice salary and obtain a cheque from the Pay and Accounts Officer (South / North), Madras. When the cheque is ready, the order of compulsory retirement should be served on the officer concerned, along with the cheque for the notice salary.

[Circular Memo. No.39541/75-77, Pub. (Ser-M), dated 1st November 1975.]

In the case of Government servants on leave, the procedure would be either to recall the officer from leave and serve the orders of retirement when he joins duty or wait for the Government servant to join duty on the expiry of leave and then serve the order.

In the case of Government servant, who is working in a station away from the head quarters of appropriate authority as defined under F.R. 56 (d) the order of the compulsory retirement along with the 'Notice Salary' may be served after calling him in person to the headquarters.

In the case of a Government servant who is away on camp from the headquarters / the order may be served on the officer by recalling him from camp or on return from the camp.

In the case, it is found that an officer is evading the receipt of the order of compulsory retirement, then the procedure indicated below should be followed for service of the order:-

- (i) If such person is not found, by leaving it at his last known place or residence or by giving or tendering it to an adult member of his family, or
- (ii) If the address of such person is known, by sending it to him by registered post, or
- (iii) If none of the means aforesaid is available, by affixing it in some conspicuous part of his last known place of residence.

In all these cases, the appointing authority should ensure that there is no time lag between the date of issue of orders and the date of serving such an order.

When an officer refuses to receive the notice salary and evades the service of orders of Compulsory retirement, in such cases, the 3 months notice salary has to be paid to the compulsorily retired officer through cheque, as and when he approaches the appropriate authority concerned or the appropriate authority has to send the cheque through Registered post with Acknowledgement due if the address is known to him subsequently.

[Circular Memo. No. 39541/75-144, P & A.R. (Per-M) dated 11th November 1976 and letter No.21732/80-1, P & AR (Per-R) dated: 6th May 1980]

10. Settlement of Pension, Death – Retirement Gratuity and General Provident Fund: - Under the provisions of Article 911 of the Civil Service Regulations, the work relating to preparation of pension papers shall not be delayed till the Government servant has actually submitted his formal application. These provisions which apply in the case of normal retirements, will apply also in the case of officers who are retired under F.R.56(d) as all benefits that accrue under normal retirements are allowed in the case of compulsorily retired officers also, since retirement under F.R.56(d) is not a punishment. Even where a formal application has not been received, action may be initiated for the sanction of final pension and D.C.R.G on the basis of particulars available in the service books of the officers and other concerned records. Where there are difficulties such as delay in verification of service, non availability of service registers, etc., as a result of which it might not be possible to complete the processing of pension claim within a period of three month from the date of retirement, a provisional pension, which should approximate to two – thirds of the pension to which the officer may be normally entitled, should be sanctioned.



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As regards release of death – cum – Retirement Gratuity, there is no requirement that a certificate should be obtained from the Government servant concerned that he has not appealed, or does not purpose to appeal, against the order of his / her compulsory retirement. It has been brought to the notice of Government that some times even for sanctioning pension, such an undertaking has been demanded in certain cases. This is irregular. The Heads of Departments should not, therefore, insist on the production of such a certificate of undertaking either for sanction of pension or for release of D.C.R.G. The only point to be taken note of before the release of D.C.R.G. is whether all the pending advances at the time of compulsory retirement of the officer have been duly recovered or adjusted. The instructions issued in Government Memo. No 183968-A/Pension/75-7, Finance, dated 24th July 1976, should be followed in this regard.

The G.P.F. claims of officers who are retired under F.R.56(d) should also be settled promptly. Such claims should not be held up notwithstanding the certificate No.8 prescribed in Part II of the form of application (Form – B) for final payment of balance in the G.P.F. Account.

[G.O.(Ms).No.945, P & AR (Per-M), dated 29th July 1977].

To watch the progress report in settlement of the above claims a quarterly report is prescribed as shown in Proforma below: -

### PROFORMA

Progress Report on settlement of claims for pension, D.C.R.G and G.P.F of officer compusorily retired under FR. 56(d) and also employees of the Corporations, Public undertakings etc.,

Number of retirement ordered upto the beginning of the quarter	Number of retirement ordered during the quarter	Total	Number of cases in which payment of pension and D.C.R.G. have been made (out of those in Col. (3)	Number of cases in which payment had not yet been (made (Col.(3), (-) (4)). Names of Officers should be indicated.
1	2	3	4	5

Whether pension D.C.R.G and G.P.F have been claimed by those in column	Reason for not settling the claims in detail	Follow up action taken by the Head of Departments or departments of Secretariat to speed up of the sanction of pension D.C.R.G and G.P.F	Remarks
6	7	8	9

[Circular memo No.47839/78-1, P & AR (Per-R), dated 1st July 1978]

The authorities competent to sanction, Pension / Death-Cum-Retirement Gratuity shall complete all the preliminary work for sanctioning pension / Death-Cum-Retirement Gratuity such as verification of service, working an amount of Pension / Death-Cum-Retirement Gratuity, etc., even without a formal application. The actual sanction of pension should be ordered only on receipt of the formal application, giving effect for such pension from the date of compulsory retirement under Fundamental Rule 56 (d).

[Circular Memo.No.68970/87-2, P & AR (Per-R), dated 30th April 1979.]

In case where the proposals for sanctioning Pension / Death-Cum-Retirement Gratuity are prepared and admitted by the Accountant – General without any formal application from the retired officers concerned and the officers refuse or fail to submit the required documents such as formal application for pension, and photo copies, etc., they should be reminded through a Registered notice letter that they should submit the connected document within one month from the date of



receipt of the Registered notice, failing which their pension papers will be treated as closed and that they will be re-open as and when they produce those documents.

[Letter No.78953/79, P & AR (Per-R), dated 8th October 1980]

### **REVIEW OF ORDER OF COMPULSORY RETIREMENT**

11. If the Officer compulsorily retired, prefers a review petition, to High Level Standing Committee such petition should be sent to the Chief Secretary to Government through the appropriate authority within one month from the date of issue of the order of compulsory retirement.

[G.O. (Ms) No.1198, Public (Ser-M), dated 15th April 1976]

12. (i) To consider the review petitions of Government servants, who retired compulsorily under F.R.56(d), the Government have also constitute a High level Standing Committee as follows: -

Chief Secretary to Government	:	Chairman
Second Secretary to Government	:	Member
Senior Most Secretary to Government	:	Member

[G.O.(Ms).No.226, P & AR (Per-R), dated 9th March 1981]

As soon as review petitions are received prompt action has to be taken to gather the connected records and remit them to P & A.R. Department with in a period of six weeks for placing before High Level Standing Committee be obtained and when the High Level Standing Committee rejects the case of an individual, orders in circulation to the concerned Minister of the Department has to be obtained.

(iii) For those compulsorily retired during emergency they have one more chance to submit mercy petition to Chief Minister. While circulating second review petition (Mercy Petition) of officers retired compulsorily during emergency through the Deputy Secretary to Government, Personal and Administrative Reforms Department to the Chief Minister for his consideration, the factual notes on the cases should be on the following lines: -

- a. Preamble of the case.
- b. Reasons for recommendation for compulsory retirement.
- c. Acceptance of the Government such recommendation.
- d. the gist of the first review petition.
- e. the recommendation of the High Level Standing Committee, and the further action thereon.
- f. the gist of the second representation of the compulsorily retired officer and examination of new points made thereon.
- g. conclusion of the cases with a request that the file may be circulated to the Chief Minister for orders.

A Check Memo as indicated below should also be put while circulating the cases:-

1. Personal File and / or record Sheet of the officer compulsorily retired.
2. The original report of the Heads of Department Pertaining to the compulsory retirement, based on which the review committee has come to a conclusion for recommending case for compulsory retirement.
3. Records relating to disciplinary proceedings if any, during the services of the officer.
4. Original records if any available on any point made by the compulsorily retired officer in his review petition to the High Level Standing Committee or in his further representation.

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5. Secretariat Records relating to compulsory retirement of the officers and to the disposal of his first review petition.
6. Original records if any perused by the High level Standing Committee other than the above records.

(U.O. Note No. 79553-E/77-5 P & AR (Per-R) dt. 2.11.1978)

(iv) No action need be taken in the subsequent representation of the officers compulsorily retired during Emergency, whose review petition to High Level Standing Committee and further representation to Chief Minister were already rejected. Those who are compulsorily retired under F.R. 56(d) after lifting of the Emergency (or under corresponding service rule / regulation of the autonomous bodies, Corporations, etc., under the control of the Government) have a right to submit only one review petition through the H.L.S.C. to the Government. Once these review petitions are rejected by the Government after considering the report of the High Level Standing Committee, the affected officers have no further right of representation to the Government. If further representation is received from the above individual reply to the petitioner has to be given on the following line:-

"Officers retired after lifting of the Emergency under Fundamental Rule 56 (d) (or corresponding Rules of Corporations, etc.,) have only a right to submit a review petition through the High Level Standing Committee to Government. Once these review petitions are rejected by the Government after considering the report of the High Level Standing Committee the affected officers have no further right of appeal to Government. Hence the appeal presented by ..... cannot be entertained".

[U.O. Note No.9875/79-6, P & AR (Per-R), dated 17th February 1979 and U.O. Note No.9875/79-49, P. & A.R. (Per-R), dated 17th June 1980]

(v) In cases where final decision has been taken in circulation to reject the review petition of an officer while his Writ Petition is pending in the High Court, the officer may be informed that the final decision in his review petition will be communicated after disposal of his Writ Petition by the High Court.

[U.O. Note No.15876/76-135, P & AR (Per-M), dated 7th February 1976]

13.(i) in cases, when an officer is reinstated in service, consequent on the examination of his review petition, the period of absence from the date of his compulsory retirement under F R.56 (d) till the date of his rejoining duty shall be treated as duty.

[G.O.Ms.No.46, P & AR (Per-M), dated 18th November 1976.]

(ii) While settling the arrears of pay and allowances to the reinstate Government officer, the pension and D.C.R.G. paid already to the above individual shall be regulated on the lines indicated below:-

- a. Such persons are entitled to pay and allowances less the period already received, if any.
- b. the notice salary already paid may be adjusted against the duty pay to be disbursed. No interest need be charged on the notice salary.
- c. No interest need be charged on the encashed leave salary.
- d. As regards the adjustment of DCRG already paid, the same should be adjusted against the pay and allowances admissible to the extent possible. The balance DCRG may be allowed to be retained by Government servant concerned on payment of simple interest as prescribed for G.P.F. for the corresponding period. The amount to be retained will be adjusted against the final DCRG becoming due on final retirement and the balance, if any will be paid to him.

[G.O. (Ms) No. 597, Finance (Pension), dated 22nd June 1978]

(iii) When a Government servant compulsorily retired has been restored to duty, reference to his compulsory retirement and reinstatement should not be made while considering his name for Promotion or for any other selection.

[G.O. (Ms) No. 994, P & AR (Per-M), dated 31st August 1979.]

**COMPULSORY RETIREMENT OF EMPLOYEES OF STATUTORY BODIES ,CORPORATIONS, ETC.,**

14. The procedure to be followed for processing the cases for compulsory retirement of employees of Statutory Bodies, Corporation and Companies under the control of this Government is indicated below:-

- (a) All Statutory Bodies, Corporations and Companies under the control of Government should amend their concerned service rules/ regulations providing for compulsory retirement of their employees in public interest after they attain the age of 50 years or have completed 30 years of qualifying service (55 years of age and 30 years of qualifying service in the case of Basic Servants) in the case of I Review and after completion of 55 years of age (58 years in the case of Basic Servants) for II Review.
- (b) A provision should be made in the service rules / regulations of these Statutory Bodies Corporations and Companies enabling the compulsorily retired employee to submit his review petition to the High Level Standing Committee constituted by Government, within one month from the date of issue of order of compulsory retirement through the appropriate authority empowered to issue such order of compulsory retirement.
- (c) All Statutory Bodies, Corporation and Companies etc., may have the Review Committee as suggested in paragraph 15 below or they may constitute their own Review Committee.

[G.O. (Ms) No.32, P & AR (Per-R), dated 5th January 1978 and letter No.81085-A/81-3, P. & A.R. (Per-R), dated 8th November 1982]

- (d) All Statutory Bodies, Corporations and Companies under the control of this Government may take their own decision on the recommendations of Review Committee for compulsory retirement of their employees in " public interest" after they attain the age of 50 years or have completed 30 years of qualifying service (55 years of age or 30 years of Qualifying service in the case of Basic Servants) The decision of the Government on the recommendation of the High Level Standing Committee will be communicated to the Statutory Bodies, etc., and those bodies, Corporations and Companies should implement the decision of Government.

[G.O. (Ms) No.1079, P & AR (Per-R), dated 16th November 1982]

- (e) While reviewing the cases of Employees of Statutory bodies, Corporations and Companies under the control of Government the review Committees should follow the norms and guidelines prescribed from time to time for reviewing the cases of Government servants under Fundamental Rule 56(d).

[G.O. (Ms) No.32, P & AR (Per-R), dated 5th January 1978]

15. The Government have constituted the Review Committees to review the cases of employees of Statutory bodies, Corporations and Companies etc., under the control of the Government as indicated below:-

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### REVIEW COMMITTEE NO. I

Officers drawing pay on scale of pay of Rs.1,300 and above

Chairman	Special Commissioner and Commissioner of Revenue Administration.
Member	(1) Secretary to Government in the Administrative Department concerned. (if the Secretary of the administrative department concerned happens to be the Senior Most Secretary, another Secretary to Government be nominated by the Chief Secretary.
	(2) Chairman-cum-Managing Director, if both the functions are combined in one person; if not the Managing Director.

### REVIEW COMMITTEE NO. II

Officers drawing pay on scale of pay lesser than Rs.1,300

Chairman	Secretary to Government in the Administrative Department concerned. (if the Secretary of the administrative department concerned happens to be the Senior Most Secretary, another Secretary to Government be nominated by the Chief Secretary.
Member	Chairman-cum-Managing Director, if both the functions are combined in one person, otherwise both of them be Member

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### APPENDIX II

#### REVIEW COMMITTEES TO REVIEW THE CASES OF OFFICERS IN GROUPS 'A' AND 'B'

REVIEW COMMITTEE NO.1	Category of officers to be reviewed
Special Commissioner and Commissioner of Revenue Administration – Chairman	
Commissioner for Commercial Taxes – Member	All Group 'A' Officers in the State (Excluding the Officers of All – India Service) and group 'B' Officers of the Secretariat.
Secretary to Government in the Administrative Department concerned - Member	
REVIEW COMMITTEE NO.2	
Commissioner of Transport – Chairman Secretary to Government in the Administrative Department concerned - Member Head of the Department concerned – Member	All other Group 'B' Officers in the State except those in Civil Supplies and Prosecuting staff.
REVIEW COMMITTEE NO.3	
Commissioner and Secretary to Government, Food and Corporation– Chairman Commissioner for Civil Supplies - Member Joint Commissioner for Civil Supplies - Member	All Group 'B' Officers in the Civil Supplies Department
REVIEW COMMITTEE NO.4	
Commissioner and Secretary to Government, Home Department – Chairman Commissioner for Commercial Taxes - Member Joint Secretary / deputy Secretary to Government in -charge of subject in the Home Department - Member	All Group 'B' Officers relating to the prosecuting staff under the control of Home Department.

NOTE:1 – In the Review Committees 1 and 2, so far as the Personnel and Administrative Reforms and Public Departments are concerned, the Joint Secretary to Government, Public Department will be the Member of the Committee and in respect of the Secretariat Department headed by the Senior Most Secretary to Government shall be nominated by the Chairman of the Committee No.1 as member of these two Committees to represent the cases relating to that department.

NOTE II – Cases relating to the posts which have been raised to the status of Group 'B' officers and for which service rules have not been framed shall be reviewed by the review Committees constituted for Group 'C' and 'D' Officers under the control of each Head of Department.

[G.O. (Ms) No.127, P & AR (Per-R), dated 13th February 1981 and letter No.23039/82-1, P. & A.R. (Per-R), dated 16th March 1982.]

Note III – In respect of the Review Committees 2,3 and 4 whoever is the senior most among the members of the review Committees No.2,3 and 4 as the case may be shall be the Chairman of the respective Committee.

[G.O. (Ms) No.447, P & AR (Per-R), date 28th April 1981.]

Note IV – In respect of review of cases of Officers in Group 'A' and 'B' in the Directorate of Statistics, the Secretary to Government P. and A. R. (Trg.) Department will serve as a Member of the Review Committee in the place of Secretary to Government in the Administrative Department (i.e) P. & A.R. Department.

[G.O. (Ms) No.950, P & AR (Per-R), date 30th September 1982.]

Note V – In respect of Tahsildars, Special Commissioner and Commissioner of Revenue Administration shall be the Chairman and joint Commissioner of Revenue Administration shall be the member of the Review Committee.

[G.O. (Ms) No.225, P & AR (Per-R), date 9th March 1981.]

Note VI – In respect of review of cases of Secretary, and Joint Secretary of Tamil Nadu Public Service Commission (Excluding All India Service Officers and Officers of Secretariat appointed as Secretary), the Chairman of the Commission shall be Chairman and Members of the Commission shall be the Members and in the case of Deputy Secretary and Under Secretaries of the Commission, the Chairman of the Commission shall be Chairman and Members of the Commission and Secretary of the Commission shall be Members of the review Committees.

[G.O. (Ms) No.1219, Public (Ser-M), date 15th April 1976.]