

**2.100 Possession of Minimum General Educational Qualification for Ministerial Personnel in the Panchayat Development unit**

Rural Development (EIV) Department

G.O. (3D) No. 8

Dated : 15.6.1992

Read :

1. G.O. (Ms) No. 186, RD & LA dated 7.2.69
2. Government letter No. 251/E2/89-1 dt. 8.3.85
3. Government letter No. 31284/E4/88-2 dt. 16.2.89
4. Judgement of Tamil Nadu Administrative Tribunal in O.A.No. 423/1990 dt. 13.5.1991.

**ORDER**

One Thiru S.Sathiaseelan was appointed as Junior Assistant (then Clerk) Kalayarkoil Panchayat Union by relaxing the rule relating to educational qualification ordered in the Government order first read above. In the Government letter second cited, it was indicated that protection should be given to the persons who did not possess Minimum General Educational Qualification for further promotion in respect of those who were in service as on 1.6.79. Subsequently in Government letter No. 81284/E4/88-2, dated 16.2.89, it was clarified that;

- i) the protection given in the Government letter No. 251 of E2/89-2 dt. 8.3.85 is applicable to the Rural Welfare Officers only and not to the person borne on Ministerial Service.
- ii) For exemption from possessing Minimum General Qualification in respect of Thiru Sathiaseelan, separate proposal be sent.

2. As it was considered that the individual Thiru Sathiaseelan, could not act as Assistant according to the clarification mentioned above he was reverted as Junior Assistant. Thiru Sathiaseelan, filed Original Application to the Tamil Nadu Administrative Tribunal against his reversion to the post of Junior Assistant. The Tribunal in its judgment/observed that there is no basis for discriminating the personnel borne on ministerial service from the Rural welfare officers. The Tribunal directed that in this case the consideration should be on the basis of guidelines for the implementation of single service Rules issued in letter 251/E2/85 RDLA dated 8.3.85 which should not be restricted being applicable to the category of Rural Welfare Officers only. Based on this judgment the Collector of Pasumpon Thevar Thirumagan District has cancelled the order passed for reverting Thiru Sathiaseelan as Junior Assistant.

3. The question of relaxing the rule relating to Minimum General Educational Qualification in respect of the personnel in the Tamil Nadu Ministerial Service in the Panchayat Development Unit, as on 1.6.79 the date with effect from which single service Rules have come into force, has been re-examined by the Government in the light of the directions of the Tamil Nadu Administrative Tribunal in its judgment mentioned above. The Government have decided to issue orders in accordance with the directions of the Tamil Nadu Administrative Tribunal. The Government accordingly direct that protection should be given to the persons who did not possess Minimum General Educational Qualification for further promotion in respect of those who were in service as on 1.6.79 not only to those holding the post of Rural Welfare Officer but also to the personnel in the Panchayat Development Units borne on Tamil Nadu Ministerial Service.

(By order of the Governor)

**AMBUJ SHARMA**  
DEPUTY SECRETARY TO GOVERNMENT