



ABSTRACT

Rural Development and Panchayat Raj Department - Disbandment of Makkal Nala Paniyalargal Post - sanction of five months of salary - Based on the judgement of the Division Bench of Hon'ble High Court in W.A.Nos.696 of 2012 and 697 of 2012 - Orders - Issued

Rural Development and Panchayat Raj (E5) Department

G.O.(Ms) No.36

Dated : 22-05-2012
Read :

1. G.O.(Ms) No.86, Rural Development and Panchayat Raj Department, dated 08.11.2011.
2. Judgement of the Division Bench of Hon'ble High Court in W.A.Nos.696 and 697 of 2012, dated 26.04.2012.
3. From the Commissioner of Rural Development and Panchayat Raj, Lr.No.61881/2011/E1 dated 10.05.2012 and 17.05.2012

ORDER :

In the G.O. first read above the post of Makkal Nala Paniyalargal were disbanded with immediate effect as enough staff are available at Panchayat and Panchayat Union level and the Post of Makkal Nala Paniyalargal become superfluous. The salary paid to the Makkal Nala Paniyalargal were additional burden to the Government exchequer. Aggrieved this the Tamil Nadu Makkal Nala Paniyalargal Munnetra Sangam and the Dindigul Mavatta Makkal Nala Paniyalargal Sangam has filed W.P.Nos. 26104, 26155 of 2011, before the Hon'ble High Court of Madras. As the orders of the Single Judge of the Hon'ble High Court has against the Policy decision of the Government, W.A.Nos.696 and 697 of 2012 has been filed by the Government before the Division Bench of the Hon'ble High Court. In their Judgement second read above, the Division Bench of the Hon'ble High Court has passed the following orders.

"This matter relates to termination of services of the respondent - workers by the Government. When the matter came up for hearing on 24.04.2012, this court, after hearing at length the arguments advanced by

(p.t.o)

Mr.A.Navaneethakrishnan, learned Advocate General appearing for the appellants; Mr.L.Chandrakumar and Ms.R.Vaigai, learned counsel appearing for the respondent - workers and taking into consideration the family circumstances of the respondent - workers, who are the sole bread winners of their families and hailing mostly from poor families, gave a suggestion to the learned Advocate General regarding payment of compensation to them and directed the case to be listed today. Learned Advocate General sought time to get instructions from the Government. When the matter came up for hearing today, learned Advocate General submitted that the Government is willing to pay five months' salary to the respondent - workers on or before 31.05.2012 as one time payment. Learned Counsel appearing for the respondent - workers agreed for the same. It is recorded. Therefore, without going into the merits of the case, these writ appeals are closed in view of the understanding arrived at between the Government and the respondent - workers. No costs".

2. The Government has decided to implement the judgement of the Division Bench of the High Court, Madras on humanitarian ground and the Commissioner of Rural Development and Panchayat Raj has been requested to send the necessary proposals in this regard.

3. Based on the reports received from the Collectors concerned, Commissioner of Rural Development and Panchayat Raj in his letter third read above, has reported that the requirement of funds of settle the five months salary to the Makkal Nala Paniyalargal as one time payment, according to the last pay drawn i.e., before their disbandment is Rs.37,34,21,620/-

4. The Government have now sanctioned a sum of Rs.37,34,21,620/- for the payment of 5 (five) months salary as one time payment to the dismissed Makkal Nala Paniyalargal on humanitarian grounds as ordered by the Division Bench of Hon'ble High Court of Madras, based on their last pay drawn i.e., before their disbandment.

5. The above expenditure shall be debited to the following head of Account

"2515 00 Other Rural Development Programmes - 001
Direction and Administration -1 Non Plan - AT Block
Headquarters - Village Panchayats 01-Salaries".
(DPC 2515-00-001-AT-0102)

The District Collectors concerned shall be instructed to monitor and the disbandment of the said amounts to the dismissed Makkal Nala Paniyalargal and send action taken report to Government before 31.05.2012 and any lapses in this regard will be viewed very seriously.

(p.t.o)

6. This orders issues with the concurrence of Finance Department vide its U.O.No.181/JS/PM/12, dated 22.05.2012.

(BY ORDER OF THE GOVERNOR)

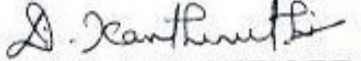
N.S.PALANIAPPAN,
PRINCIPAL SECRETARY TO
GOVERNMENT.

To
The Commissioner of Rural Development and Panchayat Raj,
Chennai-15
All Collectors/All Treasury Officers
The Accountant General, Chennai-18/35
The Commissioner of Treasury and Accounts, Chennai

Copy to :

The Finance Department,
The Private Secretary to Secretary to Government,
Rural Development and Panchayat Raj Department, Chennai-9
The Senior Personal Assistant to Minister,
(Municipal Administration and Rural Development), Chennai-9
Tamil Nadu Makkal Nala Paniyalargal Munnettra Sangam,
Reg.No.8/2009, Triplicane, Chennai-5
Dindigul Mavatta Makkal Nala Paniyalargal Sangam,
Reg.No.63/2011, No.2/158 Kuditheru,
Seelapadi Gramam, Seelapadi Post,
Dindigul-624 005.
The Registrar, High Court, Chennai-104.

// FORWARDED BY ORDER //


SECTION OFFICER