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GOVERNMENT OF TAMIL NADU

ABSTRACT

Service Associations - Tamil Nadu Government Officials' Union - Violation of rules for recognition - Recognition withdrawn - Orders - Issued.

PERSONNEL AND ADMINISTRATIVE REFORMS (K) DEPARTMENT

G.O. (Ms) No.298

Dated: 19/9/1995.

Read:

1. Government Letter No.99819/94-4., P&AR (K) Department, Dated 7.4.1995.
2. From Thiru K. Kaliyaperumal, Vice-President, Tamil Nadu Government Officials' Union, Madras Letter dated 8.5.1995.
3. From Thiru P. Thandavarayan, Vice President, Tamil Nadu Government Officials' Union, Madras Letter dated 1.5.1995.
4. From Thiru A. Gangaimuthu, Vice President, Tamil Nadu Government Officials' Union, Madras Letter dated 8.5.1995.

ORDER:

As per rule 4(c) of the Tamil Nadu Government Servants' Recognition of Service Associations Rules, 1974, no person who is not a Government servant shall be connected with the affairs of the Service Association. Certain instances which were brought to the notice of the Government revealed that Thiru Siva Ilango, who was no longer a Government servant was using the name of the Tamil Nadu Government Officials' Union and was indulging in the activities of issuing pamphlets, press releases, fund raising and addressing the Government authorities under various letter heads. The following were the specific irregularities committed by the said Thiru Siva Ilango which were not prevented by the Union:

- (a) Certain Press reports and statements issued showed that the Union had not taken any steps to prevent Thiru Siva Ilango, a non-Government servant and who had got no locus standi to take part in the activities of Tamil Nadu Government Officials' Union, from issuing press releases, statements and representations on behalf of the Tamil Nadu Government Officials' Union. Allowing a

non-Government servant to interfere in the affairs of the Tamil Nadu Government Officials' Union would amount to violation of rule 4(c) of the Tamil Nadu Government Servants' Recognition of Service Associations Rules, 1974;

- (b) In the journal, namely, "Public Servant" run by Tamil Nadu Government Officials' Union, in the issue for the month of December 1994, Thiru Siva Ilango was permitted to issue a call to raise funds for the Union under the pretext of printing diaries. Such an action in permitting a non-Government servant to issue calls for raising funds on behalf of the Union would amount to violation of rule 4(c) of the Tamil Nadu Government Servants' Recognition of Service Associations Rules, 1974 (participation of non-Government servants in Association activities) and rule 4(f) of the Tamil Nadu Government Servants' Recognition of Service Associations Rules, 1974 (raising funds from members, other than subscription);
- (c) Certain circulars, press statements, etc. had been issued by Thiru Siva Ilango styling himself as the Executive President or Honorary President which act clearly indicated that the Office bearers had not taken any steps to prevent a non-Government servant to take part in Association activities. It amounts to violation of rule 4(c) (participation of non-Government servant in Association activities), 5(g) issuing press releases without the sanction of Government and 5(n) (the Association should not represent individual cases) of the Tamil Nadu Government Servants' Recognition of Service Associations Rules, 1974.

2. In the absence of a duly elected President at that time, the three Vice-Presidents of the Tamil Nadu Government Officials' Union Tvl. K. Kaliaperumal, P. Thandavarayan and A. Gangaimuthu were directed in the Government letter first read above to show cause, as to why recognition accorded to the Tamil Nadu Government Officials Union should not be withdrawn, for violation of the provisions contained in rules 4(c), 4(f), 5(g) and 5(n) of the Tamil Nadu Government Servants' Recognition of Service Associations Rules, 1974. They were also furnished with copies of the statements, extracts of journal, circulars etc. referred to in the notice. They were directed to give a reply within 15 days from the date of receipt of the notice. They were also informed that if no reply was received within the time limit fixed, it would be presumed that they had no explanation to offer and that the issue would be decided on merits of the case.

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3. Out of the three Vice-Presidents, Thiru K. Kaliyaperumal alone has offered his reply in his letter second read above. While admitting the involvement of Thiru Siva Ilango in the affairs of the Union he has stated that he has not entertained any outsider to interfere in the affairs of the Tamil Nadu Government Officials' Union and that he is always obeying the conditions stipulated in the rules of recognition of Service Associations.

4. The other two Vice-Presidents Tvl. P.Thandavarayan and A. Gangaimuthu, in their letters 3rd and 4th read above, requested the Government to allow a further time of one month, for submitting their replies to the show cause notice issued to them. Even though four months have passed since then, their replies to the show cause notice have not been received by the Government. In the circumstances, it is concluded that these two Vice-Presidents do not have any satisfactory reply to offer, to the show cause notice. Since they have not denied the irregularities listed out in the show cause notice, it has to be construed that they admit the irregularities.

5. While two of the three Vice-Presidents have no reply to offer, the reply of the other Vice-President admits that Thiru Siva Ilango was involved with the affairs of the Union. Newspaper reports available with the Government, also clearly establish the continued involvement of Thiru Siva Ilango in the affairs of the Union after his retirement from the Government service over one year back.

6. The Tamil Nadu Government Officials' Union has violated the rules 4(c), 4(f), 5(g) and 5(h) of the Tamil Nadu Government Servants' Recognition of Service Associations Rules, 1974, by allowing Thiru Siva Ilango to interfere in the affairs of the Tamil Nadu Government Officials' Union even after his retirement from Government service and the said Union has not given proper reply to the satisfaction of the Government, utilising the opportunity given by the Government for giving such replies.

7. In the circumstances stated above, after careful consideration, the Government in exercise of the powers conferred on them under rule 6 of the

Tamil Nadu Government Servants' Recognition of Service Associations Rules, 1974, hereby withdraw the recognition accorded to the Tamil Nadu Government Officials' Union, in G.O.Ms.No. 625, Public Department, dated the 3rd September 1974.

(By order of the Governor)

N. HARIBHASKAR,
CHIEF SECRETARY TO GOVERNMENT.

To

Thiru K. Kaliaperumal, Vice President,
Tamil Nadu Government Officials' Union,
No.4, Neeli Veerasamy Street, Triplicane,
Madras-600 005/

AQ.18, Tod-Hunter Nagar, Saidapet, Madras-18.

Thiru A. Gangaimuthu, Vice-President,
Tamil Nadu Government Officials' Union,
No.4, Neeli Veerasamy Street, Triplicane, Madras-5/
10A, Karuneeagar Street, Palayamkottai,
Tirunelveli-627002.

Thiru P. Thandavarayan, Vice-President,
Tamil Nadu Government Officials' Union,
No.4, Neeli Veerasamy Street, Triplicane, Madras-5/
No.19, Thiruvalluvar Street, Bharathi Nagar,
Selaiyur, Madras-73.

Copy to

All Secretaries to Government,
Departments of Secretariat, Madras-9.

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

The Secretary, Tamil Nadu Public Service Commission,
Madras-600 002 (w.c.l.)

The Registrar, High Court, Madras-104. (w.c.l.)

All Officers in P.& A.R. Department, Madras-9.

All sections in P.& A.R. Department, Madras-9.

/forwarded/by order/

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A.No. 217/95 dated 22-9-95.

Copy communicated to all the Judicial
Magistrates in this district.

(O.C.)

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