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TAMIL NADU MINISTERIAL SERVICE RULES
(Corrected up to 19th November, 2010)

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20. Transfers of probationers and approved probationers:

(a) Notwithstanding anything contained in rules 12 to 16 and 19, a probationer or an approved probationer may, in special cases and on grounds of administrative necessity, be transferred with the mutual consent of the appointing authorities and the authorities nominated by the head of the department for the purpose of allotment of candidates where there is more than one appointing authority, in the departmental unit concerned --

(i) from one office in a departmental unit to another office in the same departmental unit;

(ii) temporarily from an office in one departmental unit to an office in another departmental unit if both the offices belong to a department in which full members are ordinarily subject to transfers from one departmental unit to another; and

(iii) permanently from an office in one departmental unit to an office in another departmental unit:

Provided that a transfer under clause (iii) shall be made only with the consent of the Commission except in the case of Gujarathi knowing Assistants of the Commercial Taxes Department.

Provided further that the consent of the Commission may be deemed to have been accorded in the cases of transfer of Probationers and Approved Probationers from one unit to another unit, necessitated consequent on the formation of new district.

(b) The grounds of administrative necessity referred to in sub-rule (a) may be presumed to exist and the Commission's consent referred to in that sub-rule may be presumed to have been given in the case of mutual transfers permanently from an office in one departmental unit to an office in another departmental unit if the persons desiring mutual transfers agree --

(i) that the senior among the Assistants/Junior Assistants mutually transferred (on the basis of the date of their first appointment to the service) be given the same rank in the departmental unit to which he is transferred, which was held by the person in whose place he comes to that departmental unit and the junior of them takes his rank in the administrative unit of the departmental unit to which he is transferred with reference to the date of his first appointment in the service; and

(ii) that they will forego the travelling allowance for their journeys to the departmental units to which they are transferred.

21. Allotment of candidates with special qualifications:-

When a candidate is required to fill any post for which special qualifications are prescribed by those rules, the order indicated in the list of approved candidates may be departed from in so far as such departure may be necessary in the order to secure the appointment of a candidate possessing such qualifications.

22. Failure of approved candidates, discharged probationers and approved probationers to join duty when required:-

When an approved candidate or a probationer or an approved probationer who has been discharged from the service for want of vacancy, fails without adequate reason to take up, when directed to do so by the competent authority, the duties of a post in the service the pay of which is, if it is on a time scale of pay not less than Rs.610-20-730-25-955-30-1075 or if it is on a fixed rate of pay, not less than Rs.610/- his name shall forthwith be removed from list of approved candidates, or, as the case may be, from the list of probationers or approved probationers by an order of that authority, in the case of an approved probationers. Such order shall be passed after observing the procedure prescribed in rule 17 of the Madras Civil Service (Classification, Control and Appeal) Rules. An approved candidate, a probationer or an approved probationer whose name has been removed from the list of the approved candidates, or, as the case may be, from the list of probationers or approved probationers by an order so passed by the competent authority, shall not be eligible for appointment again on the basis of the inclusion of his name in the said list.