

**DIRECTORATE OF TECHNICAL EDUCATION,
CHENNAI-25.**

Endorsement No. L.Dis. 19947/D6/2020, Dated: 04.09.2020

Sub: Administration – Fixation of Seniority in the post of Assistant in the Tamil Nadu Ministerial Service who are appointed from the category of Steno – Typist. Grade-III under the method 'by transfer' – Clarification issued – Regarding.

Ref: Letter No.42667/B/2019-1, Personnel and Administrative Reforms (B) Department, Dated 12.08.2020.

Copy communicated.

Sd/- J.S. Nisha
P.A. to Director

To

The Principals of

1. All Govt. /Govt. Aided Engineering Colleges/
Polytechnic Colleges / Special Institutions
2. The Chief Engineer, Circle, Chennai
3. The Executive Engineer ,(All divisions)

Copy to:

- 1.D.T.E's Table
2. Additional Director (Exam),
3. Deputy Director (Admin) (i/c)
4. Assistant Director (Admin.),
5. P.A. to DTE,
6. All Unit Officers, DOTE
7. The Technical Assistant (Evaluation),
Computer Centre, DOTE
8. All Superintendents, DOTE
9. D6 Stock file

} requested to upload the Government letter mentioned in the reference cited in the DOTE Website

//Forwarded by order//

J.S. Nisha
4/9/2020
Superintendent

[Signature]
04.09.2020



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Personnel and Administrative
Reforms (B) Department,
Secretariat, Chennai-600 009.
சார்வரி, ஆடி - 28,
திருவள்ளூர் ஆண்டு-2051.

Letter No.42667/B/2019-1, Dated: 12.08.2020

From
Dr. S. Swarna, I.A.S.,
Secretary to Government.

To,
All Departments of Secretariat/
All Heads of Departments/
All District Collectors/
All District Judges.

Respected Sir/Madam,

Sub: Fixation of Seniority in the post of Assistant in the Tamil Nadu Ministerial Service who are appointed from the category of Steno-Typist, Grade-III under the method 'by transfer' – Clarification issued - Regarding.

Ref: Letter received from the Additional Chief Secretary/ Commissioner of Commercial Taxes, Letter No.Y1/31589/2018, dated 18.12.2019.

In the reference cited, the Commissioner of Commercial Taxes has requested clarification with regard to fixation of seniority for an individual who has been appointed in the post of Assistant under the method "by-transfer" from the category of Steno-Typist Grade-III, as per the Special Rules for the Tamil Nadu Ministerial Services.

2. The following rule positions are to be taken into consideration in this regard:-

(i). In the Special Rules for the Tamil Nadu Ministerial Service, apart from the method of direct recruitment, the post of Assistant shall be filled up as follows :-

- a. By Promotion From the category of Junior Assistant and Typist
- b. By Transfer From the category of Steno-typist, Grade-III.

(ii). As per rule 9(f) of the Special Rules for the Tamil Nadu Ministerial Service, 5% of the estimate of vacancies in the category of Assistant has been earmarked to the category of Steno-typist, Grade-III. Further, a prerequisite service qualification of not less than 5 years has been prescribed



for appointment as Assistant under the method by transfer from the post of Steno-typist, Grade-III.

(iii). Under Sub section (1) of Section 7 of Tamil Nadu Government Servant (Conditions of Services) Act' 2016,

7(1)."XXXXX.... All appointments made by transfer, from one class to another class and from one category to another category, in the same service carrying identical scale of pay shall be made by the appointing authority from a list of approved candidates. Such list shall be prepared in the manner as specified in Schedule-IX by the appointing authority or any other authority empowered in the special rules in that behalf and shall be displayed in the notice board in the office of the appointing authority. XXXXX"

(iv). Under Sub section (i) of Section (40) of Tamil Nadu Government Servant (Conditions of Services) Act' 2016,

40(1) The seniority of a person in a service, class, category or grade shall, unless he has been reduced to a lower rank as punishment, be determined in the order of his placement in the list prepared by the recruitment agency or appointing authority, as the case may be, in accordance with the rule of reservation and the order of rotation specified in Schedule-V, where it applies. XXXX"

3. In view of the above Rule provisions, any person appointed in a post shall entitle for the privileges borne to the post from the date of the appointment in such category on inclusion of his/her name in the approved list prepared by the appointing authority against the vacancies earmarked for such feeder category after acquiring all the qualifications including service qualification prescribed in the Special Rules for such Service.

4. Accordingly, the Seniority of an Assistant who is appointed from the category of Steno-Typist, Grade-III under the method 'by transfer' shall be determined in the order of placement in the approved list prepared by the appointing authority under Section 7 of the above said Act depending upon the vacancies earmarked for such feeder category as per the Special Rules for the Tamil Nadu Ministerial Service.

5. The above clarifications is issued, subject to the outcome of pending court cases, if any, filed in this matter.

Yours faithfully,

A. S. Sankar
14.8.20

for Secretary to Government

14.8.20.