



TAMIL NADU GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

No. 50]

CHENNAI, WEDNESDAY, DECEMBER 12, 2018
Karthigai 26, Vilambi, Thiruvalluvar Aandu-2049

Part III—Section 1(a)

General Statutory Rules, Notifications, Orders, Regulations, etc.,
issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

CONTENTS

	<i>Pages.</i>
HIGHWAYS AND MINOR PORTS DEPARTMENT	
Amendment to the Service Rules of the Poompuhar Shipping Corporation Limited, Madras	168
LABOUR AND EMPLOYMENT DEPARTMENT	
Amendments to the Tamil Nadu Plantations Labour Rules	168-170
TOURISM, CULTURE AND RELIGIOUS ENDOWMENTS DEPARTMENT	
Amendments to the Management and Preservation of properties of Religious Institutions Rules.	171

NOTIFICATIONS BY GOVERNMENT

HIGHWAYS AND MINOR PORTS DEPARTMENT

Amendment to the Service Rules of the Poompuhar Shipping Corporation Limited, Madras.

[G.O. Ms. No. 190, Highways and Minor Ports (HM1), 16th November 2018, ஐப்பசி 30, விளம்பி, திருவள்ளூர் ஆண்டு-2049.]

No. SRO A-63/2018.—In exercise of the powers conferred under Section 13(B) of the Industrial Employment (Standing orders) Act, 1946 (Central Act XX of 1946), the Governor of Tamil Nadu hereby makes the following amendment to the Service Rules of the Poompuhar Shipping Corporation Limited, Madras.

(2) This amendment hereby made shall be deemed to have come into force with effect from 16-11-2018.

AMENDMENTS.

In the said Rules, in chapter II under Rule 2.22 (a), the following shall be substituted:-

“Every Staff / Officer of the Corporation EXCEPT Office Assistant / Sweeper shall retire from service on the afternoon of the last day of the month in which he/she attains the age of fifty eight years. Office Assistants and Sweepers of the Corporation shall retire on attaining the age of sixty years.”

S.K. PRABAKAR,
Additional Chief Secretary to Government (FAC).

LABOUR AND EMPLOYMENT DEPARTMENT

Amendments to the Tamil Nadu Plantations Labour Rules.

[G.O. Ms. No. 169, Labour and Employment (K2), 22nd November 2018, கார்த்திகை 6, விளம்பி, திருவள்ளூர் ஆண்டு-2049.]

No. SRO A-64/2018.—In exercise of the powers conferred by sub-section (1) of Section 43 read with Section 18 of the Plantations Labour Act, 1951 (Central Act LXIX of 1951), the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Plantations Labour Rules, 1955, the draft of the same having been previously published as required under sub-section (1) of Section 43 of the said Act.

AMENDMENT

In the said Rules, after Chapter IV and the rules there under the following Chapter shall be inserted, namely:-

"CHAPTER IV-A.

WELFARE OFFICERS.

68-A. Welfare Officers.- The employer of every plantation, wherein three hundred or more workers are ordinarily employed, shall appoint atleast one Welfare Officer.

Provided that where the number of workers exceeds one thousand and five hundred, one Welfare Officer to be designated as assistant welfare officer, shall be appointed for every one thousand and five hundred workers or a fraction thereof, if such fraction exceeds three hundred:

Provided further that in a plantation,-

(i) Where three hundred or more, but not more than one thousand and five hundred workers are employed and the majority of the workers are women, the Welfare Officer to be appointed shall be a Woman;

(ii) Where the number of workers exceeds one thousand and five hundred, of whom more than three hundred but not more than one thousand and five hundred are Women, the Assistant Welfare Officer to be appointed under the first proviso shall be a woman; and

(iii) Where the number of women workers exceeds one thousand and five hundred, the Assistant Welfare Officers to be appointed shall be a women at the rate of one Assistant Welfare Officer for every one thousand and five hundred Women workers or fraction thereof, if such fraction exceeds three hundred.

68-B. Qualifications.- (1) No person shall be eligible for appointment as Welfare Officer, unless he possesses any one of the following qualifications, namely:-

- (a) A Master's Degree in Labour Management; (or)
 - (b) A Bachelors degree in Labour Management awarded by the Tamil Nadu Institute of Labour Studies, Chennai; or
 - (c) A Post Graduate Degree in Social Work, Social Science, Personnel Management, Labour Relations or Social Welfare with Labour Laws on Industrial Relations and Labour Welfare or Industrial Relations as a main subject of any University or Institution recognized by the University Grants Commission; or
 - (d) A Post Graduate Diploma in Social Work, Social Science, Personnel Management, Labour Relations or Social Welfare with Labour Laws on Industrial Relations and Labour Welfare or Industrial Relations as a main subject of any University or Institution recognized by the University Grants Commission.
 - (e) A Post Graduate Diploma in Labour Administration awarded by the Tamil Nadu Institute of Labour Studies, Chennai; or
 - (f) A Post Graduate Diploma in Personnel Management, Industrial Relations and Labour Welfare awarded by the Productivity Councils in Tamil Nadu or any other Institutions recognized by the State Government for this purpose; or
 - (g) A Post graduate diploma in Labour Laws and Administrative Laws conducted by the Dr. Ambedkar Government Law College, Chennai; or
 - (h) A Degree of any University or Institution recognized by the University Grants Commission and a Diploma in Labour Laws awarded by the Indian Law Institute, New Delhi; or
 - (i) A Degree in Bachelor of Law awarded by any University recognized by the University Grants Commission; and
- (2) Adequate knowledge in Tamil language and the language spoken by the majority of the workers in the plantation to which he is to be attached:

68-C. Recruitment of welfare officers.- (1) Vacancies in the post of welfare officers shall be advertised in two daily newspapers having wide circulation in the State, one of which shall be in Tamil and other in English:

Provided that the vacancies in the Government undertaking plantations and private plantations financially assisted by the Government shall be made by calling for names of eligible candidates from the employment exchange besides inviting applications by giving advertisement in two Daily Newspapers having wide circulation in the State, one of which shall be in Tamil and other in English.

(2) Selection for appointment to the post of Welfare Officer shall be made from among the candidates applying for the post by a committee appointed by the employer of the plantation.

(3) The appointment when made shall be notified by the employer to the State Government or Chief Inspector of Plantations or Assistant Commissioner of Labour (Plantations), giving the details of the qualifications, age, pay, previous experience and other relevant particulars of the officer appointed and the terms and conditions of his service.

68-D. Conditions of Service of welfare officer.- (1) A welfare Officer shall be given appropriate status corresponding to the status of a Member of Plantation Executive.

(2) The conditions of service of a welfare officer shall be the same as defined to a Member of Plantation Executive;

Provided that in case of discharge or dismissal, the Welfare Officer / Assistant Welfare Officer shall have a right of appeal to the Chief Inspector of Plantations whose decision thereon shall be final and binding upon the employer of the plantation. The appeal shall be preferred within thirty days from the date of receipt by the welfare officer of the order or discharge or dismissal.

(3) The scale of pay and the allowances of the Welfare Officer / Assistant Welfare Officer and other conditions of service shall be as same as defined to a member of Plantation Executive.

(4) No penalty shall be imposed upon a Welfare Officer by the management, unless he has been first informed in writing of the grounds on which it is proposed to take action and has been afforded an adequate opportunity of defending himself.

68-E. Duties of welfare officer.- The duties of the Welfare Officer shall be as follows, namely:-

(a) to establish contacts and hold consultations with a view to maintain harmonious relations between Plantation Management and the workers;

(b) to bring to the notice of the Plantation Management the grievances of workers, individual as well as collective with a view to securing their expeditious redress and to act as a Liaison Officer between the Management and Workers;

(c) to study and understand the point of view of workers in order to help the plantation management to shape and formulate workers policies and to interpret such policies to the workers in a language they can understand;

(d) to watch industrial relations with a view to using his influence in the event of a dispute between the Plantation Management and the workers and to help to bring about a settlement by persuasive effect;

(e) to advise on fulfillment by the management and the concerned departments of the plantation of obligations, statutory or otherwise, concerning regulation of working hours, maternity benefits, medical care, compensation of injuries and sickness and other welfare and social benefit measures;

(f) to advise and assist the management in the fulfillment of its obligations statutory or otherwise, concerning prevention of personal injuries and maintaining a safe work environment;

(g) to promote relations between the concerned departments of the plantation and workers which will bring about productive efficiency as well as amelioration in the working conditions and to help workers to adjust and adapt themselves to the working environment;

(h) to encourage the formation of works and Joint Production Committee, Co-operative Societies and Welfare Committees such as Works Committee, Sub-Committee and to supervise their work;

(i) to encourage provision of amenities such as canteens, Shelters for Rest, School, Creches, Adequate latrine facilities, drinking water, medical facilities and superannuation benefits:

(j) to help the plantation management in regulating the grant of leave with wages and explain to the workers the provisions relating to leave with wages and other leave privileges and to guide the workers in the matter of submission of application for grant of leave for regulating authorized absence;

(k) to advise on provision of welfare facilities, such as housing facilities, Social and recreational facilities, sanitation, advice on Individual personal problems and education of children;

(l) to advise the plantation management on questions relating to training of new starters and supervisors, supervision and control of notice board and information bulletins to further education of workers and to encourage their attendance at technical institutes;

(m) to suggest measures which will serve to raise the standard of living of workers and in general promote their well being;

(n) to work for the improvement of educational facilities and to promote adoption of the family welfare measures amongst the workers; and

(o) to implement the scheme of eradication of illiteracy among the workers in co-ordination with the Education Department authorities or any other agencies as the case may be.

68-F. Welfare officer not to deal with disciplinary cases against workers or appear on behalf of the management against workers-

No welfare officer shall deal with any disciplinary case against a worker or workers or appear before a Conciliation Officer, Court or Tribunal on behalf of the management of the plantation against a worker or workers except when he is required by the Conciliation Officer, Court or Tribunal to appear as an independent witness;

Provided that nothing in this rule shall be deemed to prohibit a worker or workers from approaching the welfare officer in respect of a grievance arising out of any case of disciplinary action against him / them".

SUNIL PALIWAL,
Principal Secretary to Government.

TOURISM, CULTURE AND RELIGIOUS ENDOWMENTS DEPARTMENT

Amendments to the Management and Preservation of Properties of Religious Institutions Rules.

[G.O. Ms. No. 222, *Tourism, Culture and Religious Endowments (RE4-2)*, 7th December 2018,
கார்த்திகை 21, விளம்பி, திருவள்ளூர் ஆண்டு-2049.]

No. SRO A-65/2018.—In exercise of the powers conferred by sub-section (1) read with clause (xxii) of sub-section (2) of Section 116 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959), the Governor of Tamil Nadu hereby makes the following amendments to the Management and Preservation of Properties of Religious Institutions Rules:-

AMENDMENTS

In the said Rules,-

(1) in rule 13, after sub-rule (1), the following proviso shall be inserted, namely:-

“Provided that all plans and estimates exceeding Rs.1,00,00,000/- submitted under rule 12 shall be passed through the Estimate Approval Committee constituted by the Government comprising of the following officials and sent to the Government for sanction.

- | | |
|--|--------------------|
| (1) Commissioner,
Hindu Religious and Charitable Endowments Department | - Chairman |
| (2) Engineer -in-Chief (Buildings), Public Works Department
or his representative | - Member |
| (3) Additional Commissioner (Thiruppani), Hindu Religious
and Charitable Endowments Department | - Member-Secretary |
| (4) Superintending Engineer, Hindu Religious and Charitable
Endowments Department | - Member |
| (5) Sthapathi, Hindu Religious and Charitable
Endowments Department | - Member |
| (or)
in his absence, The Principal of Government College of
Architecture and Sculpture, Mamallapuram | |

(2) in rule 23,- (a) in sub-rule (1), in the tabular column,-

(i) in column (3), for the Heading “Administrative authority to approve tenders” the Heading “*Appropriate* authority to approve tenders” shall be substituted;

(ii) in column (3) against the entry “Rs.1,00,00,001/- and above” in column (1) and the entries relating thereto in column (2) thereof, for the expression “The Government” following entries shall be substituted, namely:-

“The Tender Award Committee constituted by the Government comprising of

- | | |
|---|--------------------|
| Commissioner, Hindu Religious and Charitable
Endowments Department | - Chairman |
| Engineer -in-Chief (Buildings), Public Works Department
or his representative | - Member |
| Representative of the Secretary to Government,
Finance Department | - Member |
| Additional Commissioner (Thiruppani), Hindu Religious and
Charitable Endowments Department | - Member-Secretary |
| Superintending Engineer, Hindu Religious and Charitable
Endowments Department | - Member” |

(b) after sub-rule (3), the following sub-rule shall be added, namely:-

“(4) Notwithstanding anything contained in clause (a) of sub-rule (i) of rule 2, the Tender Award Committee constituted by the Government is the appropriate authority to approve tenders exceeding Rs.1,00,00,000/-.”

APURVA VARMA,
Additional Chief Secretary to Government.