



## ABSTRACT

Rules – Tamil Nadu Medical Subordinate Service – Filling up of the Post of Laboratory Technician Grade I based on Statewide Seniority – Amendment to Special Rules – Orders issued.

### HEALTH AND FAMILY WELFARE (C2) DEPARTMENT

G.O.(Ms)No:147

Dated: 18.03.2020  
Thiruvalluvar Aandu – 2051  
Vigari, Panguni – 05

Read:

1. G.O.(Ms)No.1048, Health and Family Welfare Department, Dated: 03.07.1993
2. G.O.(Ms)No.308, Health and Family Welfare Department, Dated: 04.07.1996
3. G.O.(Ms)No.162, Health and Family Welfare Department, Dated: 05.02.2003
4. G.O.(Ms)No.39, Health and Family Welfare Department, Dated: 05.02.2007
5. From the Directorate of Medical Education Letter No:20060/E5/2/2019, Dated: 09.01.2020

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### ORDER:

At present, the appointing authority for the post of Laboratory Technician Grade-I is the Head of the Institution concerned. As such, vacancy in the post of Laboratory Technician Grade-I in each institution is filled by following Institution wise seniority from the post of Laboratory Technician Grade-II in that Institution which results in quicker promotions in certain institutions because of more number of vacancies. Aggrieved by the same, the Medical Laboratory Technology Association has filed a writ petition in W.P.(MD) No.8916 of 2019. In the said writ petition, the Hon'ble Madurai Bench of Madras High Court in its order dated 12.04.2019 has directed to consider the representation of the petitioner, dated 08.03.2019 on merits and in accordance with law and pass necessary orders.

2. The issue was examined in detail. The feeder category for the post of Laboratory Technician Grade-I is Laboratory Technician Grade-II. State wide seniority is being followed in the recruitment of Laboratory Technician Grade-II, whereas institution wise seniority is followed for the post Laboratory Technician Grade-I, resulting in lack of uniformity in promotional opportunity to the post of Laboratory Technician Grade-I among various institutions. In the light of the above orders of the Hon'ble Madurai Bench of Madras High Court, dated 12.04.2019 in W.P.(MD)No.8916 of 2019 and as per rules in force, it has been decided to amend the existing rules suitably.

3. Accordingly the notification in the Annexure will be published in the Tamil Nadu Government Gazette.

(BY ORDER OF THE GOVERNOR)

BEELA RAJESH  
SECRETARY TO GOVERNMENT

To

The Director of Medical Education, Chennai-600 010  
The Director of Medical and Rural Health Services, Chennai-600 006.  
The Director of Medical and Rural Health Services (ESI), Chennai-600 006.  
The Director of Public Health and Preventive Medicine, Chennai-600 006.  
The Principal Accountant General (A&E), Chennai-600 008.  
The Accountant General (Audit), Chennai-600 035.  
The Director of Stationery and Printing, Chennai-600 079.  
(for Publication of the Notification in the Tamil Nadu Government Gazette and to send two copies of the notification to Government after publication)

Copy to

The Special Personal Assistant to Minister for Health and Family Welfare, Secretariat, Chennai-600 009.  
The Personnel and Administrative Reforms Department, Chennai-600 009.  
The Law Department, Chennai- 600 009.  
The Health and Family Welfare (Data Cell) Department, Chennai-600 009.  
Stock File / Spare Copy.

// FORWARDED BY ORDER //

*AD*  
*19/3/2020*  
SECTION OFFICER.  
*15/3/2020*

**ANNEXURE**

**NOTIFICATION**

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Tamil Nadu hereby makes the following amendments to the Special rules for the Tamil Nadu Medical Subordinate Service (Section 21 in Volume III of Tamil Nadu Service Manual 1970)

**AMENDMENTS**

In the said Rules, in Part III, under the heading Branch IV-General,-

1. after rule 4A, the following rule shall be inserted, namely:-

\*4B. Seniority.- For appointment by promotion to the post of Laboratory Technician Grade-I, the Director of Medical Education shall follow State Wide Seniority."

2. in Annexure I (referred to rule 4) under the sub-heading, Class III in column (1), for the expression in column (2) against the expression Category I Laboratory Technician Grade I in column (1), the expression "The Director of Medical Education" shall be substituted.

**BEELA RAJESH**  
Secretary to Government

//True copy//

*[Signature]*  
19/12/2020  
Section Officer.  
4/13/2020