



ABSTRACT

Fundamental Rules – Instruction 4(b) under Fundamental Rule 44 - House Rent Allowance while on leave – Amendment – Orders - Issued.

Human Resources Management (FR-II) Department

G.O.(Ms) No. 89

Dated : 09.09.2021

பிலவ வருடம், ஆவணி 24,
திருவள்ளூர் ஆண்டு 2052,

Read :

1. G.O. (Ms.) No. 105, Personnel and Administrative Reforms (FR-III) department, dated 07.11.2016.
2. G.O. (Ms.) No. 154, Personnel and Administrative Reforms (FR-II) department, dated 05.12.2017.
3. From the Principal Secretary / Commissioner of Treasuries and Accounts, Chennai – 35, Letter Rc. No.28571 / D2 / 2019, dated 22.08.2019.
4. G.O. (Ms.) No. 84, Human Resources Management (FR-III) department, dated 23.08.2021.

ORDER:

Instruction 4(b) under Fundamental Rule 44 provides that "*While on leave with allowances.*—A Government servant, shall be permitted to draw house-rent allowance for six months of leave including maternity leave but not extraordinary leave. He shall be paid house-rent allowance during the period of leave at the rates at which he was entitled to it prior to going on leave irrespective of whether he is reposted to the same station or not."

2. In the Government Order first read above, orders were issued extending the maternity leave from 180 days to 270 days to married women Government servants. In the Government Order second read above, Instruction 1 under Fundamental Rule 101(a) has been amended accordingly.

3. In the Government Order fourth read above, orders were issued enhancing the maternity leave from 9 months (270 days) to 12 months (365 days) to married women Government servants.

4. The Government have examined the above provisions under Fundamental Rules. The grant of maternity leave under rule 101(a) of Fundamental Rules is an exception and special concession under section VI in part IV of the Fundamental Rules and House Rent Allowance shall be permissible for the entire period of maternity leave. Therefore, the Government decided to amend Instruction 4(b) of Fundamental Rule 44 suitably and accordingly, the following notification will be published in the **Tamil Nadu Government Gazette:-**

(P.T.O.)

NOTIFICATION.

In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India and of all other powers hereunto enabling, the Governor of Tamil Nadu hereby makes the following amendment to the Fundamental Rules and the Instructions thereunder.

2. The amendment hereby made shall be deemed to have come into force on the 7th November 2016.

AMENDMENT.

In the said Fundamental Rules, in rule 44, under the heading "INSTRUCTIONS UNDER RULE 44", in instruction 4, in clause (b), the expression "including maternity leave" shall be omitted.

(BY ORDER OF THE GOVERNOR)

MYTHILI K. RAJENDRAN
SECRETARY TO GOVERNMENT

To

All Secretaries to Government, Chennai-600 009.
All Departments of Secretariat, Chennai-600 009.
All Heads of Departments / District Collectors / District Judges /
District Magistrates
The Secretary, Tamil Nadu Public Service Commission, Chennai- 600 003.
The Registrar General, High Court of Madras, Chennai- 600 104.
The Registrar, High Court of Madras (Madurai Bench), Madurai.
The Accountant General, Chennai - 600 018.
The Accountant General, Chennai - 600 035.
The Resident Audit Office, Chennai – 600 009.
The Commissioner of Treasuries and Accounts, Chennai – 600 035.
The Works Manager, Government Central Press, Chennai – 600 079.

(Two copies for publication in the Tamil Nadu Government Gazette)

Copy to:

The Special Personal Assistant to the Hon'ble Minister (Finance and
Human Resources Management), Secretariat, Chennai – 600 009.
The Principal Private Secretary to the Chief Secretary to Government,
Secretariat, Chennai – 600 009.
The Principal Private Secretary to the Secretary to Government,
Human Resources Management Department, Chennai – 600 009.
All Sections / All Officers in Human Resources Management Department,
Chennai – 600 009.
✓ The Human Resources Management (AR-II) Department,
Chennai – 600 009. (to upload in Tamil Nadu Government Website)
The Finance (PC) Department, Chennai – 600 009.
The Finance (BPE) Department, Chennai – 600 009.
The Law (scrutiny) Department, Chennai – 600 009.
The Director, Anna Institute of Management and Director General of Training,
Chennai – 600 028.
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// FORWARDED BY ORDER//

Renu Sridhar
SECTION OFFICER

Jothi
13/9/21

13/9/2021