

TRIPURA



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GOVERNMENT OF TRIPURA  
DEPARTMENT OF INDUSTRIES

No. F. DI/ESTT/1(17)/77/1, 945-2,015.

Dated, Agartala, the 18th January, 1986.

NOTIFICATION

In exercise of the powers conferred by proviso to Article 309 of the Constitution and all other powers enabling him in this behalf, the Governor, Tripura is pleased to make following Rules namely:—

CHAPTER—I.

SHORT TITLE AND COMMENCEMENT

1. (i) These Rules may be called the Tripura Government Sericultural Permanent Labourers (Recruitment and Condition of Services) Rules—1985.
- (ii) They shall come into force with effect from date of publication in the Tripura Gazette.

CHAPTER—II.

DEFINITION

2. In these Rules, unless the context otherwise requires—
  - (a) “Appointing Authority” in relation to the grade means the Director of Industries or any other officers to be authorised by the Government for the said purpose.
  - (b) “Permanent Labourer” means a Labourer commencing from the date on which a declaration made under Rule 4 takes effect and includes those absorbed under Rule 5 as permanent Labourers at the commencement of these Rules.

- (c) "Government" means the Government of Tripura.
- (d) "Schedule" means a Schedule to these Rules.
- (e) "Service" means the permanent Labourer Services under Government of Tripura.
- (f) "Head of Office" means Asstt. Director of Industries (Sericulture) or any other officer declared as Head of Office under Rule-10(A) of the Delegation of the Financial power Rules.
- (g) "Average Wages" means average of wages of last 30 days immediately preceding the date of retirement.
- (h) "Qualifying Service" means the length of service counted from the date of commencement to the date preceding the date of retirement excluding the period spent under suspension, unauthorised leave and extra-ordinary leave other than extra-ordinary leave sanctioned under Rule-15.
- (i) "Disciplinary Authority" means the authority declared under these Rules to impose on a permanent labourer any penalty other than dismissal or removal from service.

### CHAPTER—III.

#### CONSTITUTION OF THE SERVICE, RECRUITMENT AND TRAINING.

Scope and  
authorised  
strength.

3. (a) These Rules shall apply to permanent labourers engaged in the Farms/Mulberry Extension Centre/Nurseries/Grainage/Reeling Unit/Twisting Unit/Silk Ambar Spinning Unit/Silk Weaving Centre/Training Institute of Sericulture under Department of Industries.
- (b) The authorised strength of permanent labourers at the commencement of these Rules will be 186. The strength of permanent labourers will be at the rate of 2 (two) labourers per hectre of cultivation. In case of Reeling Unit the strength of permanent labourers will be 2(two) per Basin.

Method of  
declaration of  
permanent  
labourer.

4. Depending upon vacancies and requirement of the Government the Appointing Authority may declare a labourer as permanent labourer if:—
  - (a) He/She is in continuous full-time employment for three years and has worked for at least 240 days in each year in a Sericulture Farm/Mulberry Extension Centre/Nursery/Grainage/Reeling Unit/Twisting Unit/Silk Ambar Spinning Unit/Silk Weaving Centre/Twisting Institute of Sericulture under Department of Industries and
  - (b) The Appointing Authority is satisfied with the quality of his/her work, conduct, character and to his/her suitability for employment as permanent labourer. Provided that a labourer shall not be declared as a permanent labourer unless he/she is:
    - (a) More than 18 years of age and less than 35 years of age: upper age being relaxable in case of a S.T. or S.C. or Ex-Servicemen by 5 years.

- (b) able to read and write in any of the local languages and
- (c) mentally or physically fit to discharge the functions properly.

Initial absorption.

A labourer, working under the Department in Sericulture Farm/Mulberry Extension Centre/Nursery/Grainage/Reeling Unit/Twisting Unit/Silk Ambar Spinning Unit/Silk Weaving Centre/Training Institute of Sericulture on 31st December, 1984 who has worked continuously for the preceding three years and has worked for at least 240 days in each year shall be deemed to have been absorbed as a permanent labourer with effect from the date of commencement of these Rules:

Provided that a labourer who on the commencement of these Rules is less than 18 years of age or has exceeded 60 years of age shall not be declared as permanent labourer.

Engagement Order.

- 6. (a) A permanent labourer shall be given an engagement order under the signature of Appointing Authority showing his/her name, father's/husband's name, date of birth and date of engagement.
- (b) A permanent labourer shall be liable to serve anywhere in Tripura.

Period and hours of work

7. A permanent labourer shall be required to work for 8 (eight) hours in a day in one or two shifts. The period and hours of working for the workers in each shift shall be exhibited in English and in the Principal language of these labourers on the notice board maintained at or near the main entrance of the Farm/Nursery/Mulberry Extension Centre etc.

Attendance.

- 8. (a) A permanent labourer shall be at work in the establishment to which he/she is engaged at the time fixed and notified under Rule—7 above.
- (b) If a permanent labourer is late in attendance by half an hour or more on any day or shift without sufficient reasons and fails to satisfy the office-in-charge of the establishment as to the cause of such delay, the said labourer may be refused to work on that day or shift as the case may be according to the nature of employment:

Provided that if for any reason the Officer-in-charge allows a permanent labourer to join late in the work the said permanent labourer shall be paid proportionals wage for the day.

Absence from the place of duty.

- 9. (a) A permanent labourer found absent from his/her place of work during working hours notified under Rule—7 without permission from authority or without any sufficient reason, shall be liable to be treated as absent from duty for the period of his/her absence.
- (b) A permanent labourer who remains absent continuously for more than 30 (thirty) days unauthorisedly shall be liable to automatic termination from the service.

Wages.

10. A permanent labourer shall be paid wages at the rate prescribed by the Government of Tripura from time to time on monthly basis.



Training.

11. The Director of Industries may from time to time organise such training for the permanent labourers as may be deemed necessary for betterment of service. It shall be obligatory for the selected permanent labourers to attend such training. The period spent on such training shall be treated as on duty for the purpose of these Rules.

## CHAPTER—IV.

## LEAVE, HOLIDAY AND TERMINAL AND OTHER BENEFITS.

Holiday.

12. A permanent labourer will get one paid holiday after 6 (six) days continuous work. Said labourer will get 3 (three) National Holidays i. e. 26th January, 15th August and 2nd October in addition to 1st May in each Calendar year as paid holiday and may enjoy any other holiday/holidays that may be specified as applicable to them by the Government from time to time.

Casual leave.

13. A permanent labourer shall be entitled to 12 days casual leave in each calendar year. Such leave can be availed only with prior sanction.

Earned leave.

14. A permanent labourer shall earn 1 (one) days's leave on full pay for every 22 days of continuous work including off days. Provided that he/she will cease to earn such leave when the earned leave due amounts to 150 days.

Extra ordinary leave.

15. A permanent labourer may avail on due sanction extraordinary leave without wages on medical ground for not more than 120 days in a calendar year subject to a maximum of 250 days during the total period of service.

Extra-ordinary leave sanctioned under these Rules shall count as qualifying service for pension.

Sanctioning authority.

16. Casual leave may be sanctioned by the Officer-in-charge of the Establishment provided that such leave shall not be sanctioned continuously for more than 8(eight) days. Casual leave shall not be sanctioned in combination with any other leave. Earned leave upto a maximum of 30 days at a time may be sanctioned by the Head of Office. Extra-ordinary leave on medical ground may be sanctioned by the Head of Department within the limit specified in Rule—15.

Maintenance of service records.

17. (a) Service Rolls and Leave Account shall be maintained by the concerned Head of Office. Service Roll shall be maintained in the following proforma:—

- (1) Name of the Labourer,
- (2) Father's/husband's name,
- (3) Date of birth,
- (4) Address, permanent & present,
- (5) Qualification,
- (6) Date of engagement,
- (7) Nature of duty performed,
- (8) Caste,
- (9) Remarks.

(b) Leave Account shall be maintained in proper form A.T.C.—2A.

(c) Every entry in the Service Roll and Leave Account shall be attested by the Head of Office or any other officer authorised by him.

Terminal benefits.

18. (a) Superannuation:—A permanent labourer shall superannuate at the age of 60 years.  
 (b) Retiring pension:—A permanent labourer may at his/her option retire from service after rendering 33 years of qualifying service and earn full pension subject to the minimum of Rs. 100/- per month.  
 (c) Invalid pension:—A permanent labourer invalidated after rendering 10 years of qualifying service shall be entitled to a minimum pension of Rs. 100/- per month.

Amount of pension.

19. The amount of retiring pension per month shall be calculated at the rate of 50% of the average wages subject to a minimum of Rs. 100/-. The amount of superannuation pension shall be such proportion of retiring pension as his/her total qualifying service corresponds to 33 years subject to a minimum of Rs. 100/-. Provided that no permanent labourer will be eligible for pension unless he has completed 10 (ten) years of qualifying service.

Service Gratuity.

20. A permanent labourer retiring on superannuation or invalidation while on duty before completing 10 years of qualifying service shall be entitled to service gratuity at the rate of half months average wages for each completed 6 (six) monthly period of total qualifying service.

Sanctioning authority.

21. Pension and service gratuity shall be sanctioned under the specific order of the Head of Department as for Class-IV (Group "D") employees.

Financial Relief.

22. The pensioner shall be entitled to financial relief to such extent as may be ordered by the Government from time to time.

Family pension.

23. Family pension in respect of deceased pensioner may be decided as per provisions of the C.C.S. Pension Rules 1972.

Procedure of payment.

24. Procedure for payment of pension to the permanent labourer shall be the same as provided in C.T.R. Vol—I.

If any pension remain undrawn for more than 12 months, the pension payment order shall remain inoperative.

Head of Account.

25. The Head of Account to which the pension is chargeable is 266-pension and other retirement benefits.

Terminal leave.

26. A permanent labourer retiring from service or otherwise leaving the job with due prior approval of the Appointing Authority shall be entitled to encash the balance of leave earned under Rule-14. Encashment of terminal leave shall be sanctioned under specific orders of the Appointing Authority.

Maternity benefits.

27. A female permanent labourer may be granted maternity leave by the Appointing Authority for a period which may extend upto the end of 3 (three) months, i.e. 90 days from the date of its commencement or to the end of 6 (six) weeks from the date of confinement, whichever is earlier. During such period she shall be paid wages at half the rate drawn

immediately before her proceeding on leave, provided that such leave shall not be admissible for more than 2(two) occasions during the entire service. Maternity leave may be sanctioned by the Head of office on the basis of medical certificate issued by the concerned hospital/P.H. Centre/Registered Medical Practitioner.

Accommodation.

28. If unfurnished non-standard accommodation is made available to any of the permanent labourer he/she shall have to reside in the provided accommodation. The accommodation so provided shall, however, be rent free.

#### CHAPTER—V.

#### CONDUCT AND DISCIPLINE.

Disciplinary Authority.

29. The Head of Offices shall be the disciplinary authorities in respect of the permanent labourer working in the Farm/Institution under their control.

Suspension and other penalties.

30. (a) The Appointing Authority may suspend a permanent labourer for a temporary period without any compensation in lieu of notice, if he/she is found to be guilty of misconduct. During the period of such suspension he/she shall not be entitled to any wages or compensation in any form.

(b) For the purpose of the clause (a) above, the following acts and omission shall be treated as misconduct,

- i) Wilful insubordination or disobedience.
- ii) Taking or giving bribes or any illegal gratification.
- iii) Theft, fraud or dishonest in connection with business or property of the Institutions including Farm/Nursery/Grainage etc.
- iv) Persistent late coming or habitual absence without leave.
- v) Drunkenness, riotous or disorderly behaviour during working hours at the place of work or any act of indiscipline.
- vi) Immoral conduct.
- vii) Negligence of duties.

Resignation/  
Dismissal/  
Removal.

31.-(a) No permanent labourer shall be dismissed from service without an enquiry. Orders for such removal and dismissal shall be made by the Appointing Authority.

(b) A permanent labourer removed or dismissed from service shall not be entitled to any benefit of past service.

(c) A permanent labourer who resigned his/her job of his/her own shall not be entitled to any benefit of past service including encashment of leave.

CHAPTER—VI.

MISCELLANEOUS

Provident  
Fund.

32. (a) Each permanent labourer shall contribute to the General Provident Fund Account with effect from the date he/she is declared as permanent labourer.
- (b) Advance and withdrawal from the G. P. F. Account shall be regulated according to the G. P. F. Rules adopted by the Government of Tripura.
- (c) The G. P. F. Account of the permanent labourer shall be maintained by the respective Head of offices in the same manner as is maintained for Class IV (Group "D") Government servants.

Relaxation.

33. The Government may relax all or any of the conditions in respect of any Class or category of permanent labourers.

Interpretation.

34. In case of any controversy regarding interpretation of any rules the decision of the Government shall be final.

General.

35. Other conditions of service:—The conditions of service of a permanent labourer in respect of the matters for which no provisions has been made in these rules shall be such as may be determined by the Government from time to time.

Savings.

36. Nothing in these rules shall affect the reservations, relaxation of age limit and other concessions required to be provided to the members of the Scheduled Tribes and Scheduled Castes and other special categories of persons in accordance with the rules and order issued by the Central Government/State Government from time to time in this behalf.

R. N. Chakraborty  
Commissioner-cum-Secretary,  
Government of Tripura.