



**The Tripura Government Fisheries Permanent  
Labourer (Recruitment and Condition of  
Service) Rules, 1999**





Government of Tripura  
Department of Fisheries

No. F. 2(477)-FISH(ESTT)/92-93

Dated, Agartala the 14th October, 1999.

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 Fisheries Permanent Labourer (Recruitment and Condition of Service) Rules-1999.
- (ii) They shall come into force with effect from the date of their publication in the Tripura Gazette.

Chapter-II

DEFINATION

2. In these rules unless the context otherwise requires—
  - (a) "Appointing Authority" in relation to the grade means the Director of Fisheries or any other officer as may be authorised by the Government for the said purpose.
  - (b) "Average Wages" means average of wages of last 30 days immediately preceeding the date of retirement.
  - (c) "Disciplinary Authority" means the authority declared under these rules to impose on a permanent labourer any penalty, other than removal and dismissal from service.
  - (d) "Government" means the Government of Tripura.
  - (e) "Head of Office" means Deputy Director of Fisheries/Principal, TFTI/Supdt. of Fisheries etc. in charge of the respective offices or any other officer declared as Head of Office under Rule-10(A) of the Delegation of the Financial Power Rule.
  - (f) "Permanent Labourer" means labourer commencing from the date on which a declaration made under Rule-4 takes effect and includes those absorbed under Rule-5 as permanent labourer at the commencement of these Rules.
  - (g) "Qualifying Service" means the length of service from the date of commencement to the date preceeding 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.
  - (h) "Schedule" means a Schedule to these Rules
  - (i) "Service" means the Tripura Government Fisheries Permanent Labourer Service.

Chapter-III

CONSTITUTION OF THE SERVICE, RECRUITMENT AND TRAINING.

Scope & Authorised strength.

3. (1) These rules shall apply to permanent labourers engaged in the Fish Seed Farms/ Fish Landing Centre/Ice Plant/Institutions belonging to the Fisheries Department,
- (2) The authorised strength of permanent labourer at the commencement of this Rule will be 123 nos.

Method of Declaration of Permanent Labourer.

4. Depending upon the vacancies and requirment of the Government the appointing authority may declare a labourer as permanent labourer, if—
  - (a) he is in continous full time employment for 10 (ten) years or more and has worked for atleast 240 days in each year including watching etc. in a Fish

Seed Farm/Fish Breeding Farm/Fish Landing Centre/ICE Plant/Stores/Institutions and

- (b) the appointing authority is satisfied with the quality of his work, conduct, character and his suitability for employment as permanent labourer :

Provided that a labourer shall not be declared as a permanent labourer unless he is—

- (a) more than 18 years of age and less than 37 years of age. Upper age is relaxable in case of a ST or SC or Ex-Serviceman by 5 years,
- (b) able to read and write in any of the local language &
- (c) mentally and physically fit to discharge the functions properly.

Initial absorption.

5. A labourer working under the Department in F.S.C./F.B.F/F.L.C./ICE Plant/Stores/Institutions on 31.5.99 who had worked continuously for the preceeding 10 (ten) years or more and had worked for at least 240 days in each year shall be deemed to have been absorbed as permanent labourer with effect from the date of commencement of these rules,

provided that a labourer who, on the date of commencement of these rules, is less than 18 years of age or has exceeded 50 years of age shall not be declared as permanent labourer.

Engagement.

- 6. (1) A permanent labourer shall be given an engagement order showing his name, father's name, date of birth and the date of engagement.
- (2) A permanent labourer shall be liable to serve any where 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 work in each shift shall be exhibited in English and in the principal language of the labourers on the notice board maintained at or near the main entrance of the working place.

Attendance

- 8. (1) A permanent labourer shall be at work in the establishment to which he is engaged at the time fixed and notified under Sub-Rule-7, above.
- (2) 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 officer-in-charge of the establishment as to the cause of such delay, the said labourer may be refused work on that day or shift including watching and guarding of the Farm etc. 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, said permanent labourer shall be paid preportionate wages for the day.

Absence from the place of duty.

- 9. (1) A permanent labourer found absent from his 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 absence.
- (2) A permanent labour 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. (1) The Director of Fisheries may from time to time organise such training for the permanent labourers as may be deemed necessary for betterment of service.
- (2) It shall be obligatory for the selected permanent labourers to attend training. The period spent on such training shall be treated on duty for the purpose of these rules.

## Chapter-IV

## LEAVE, HOLIDAYS AND TERMINAL AND OTHER BENEFITS.

12. A permanent labourer will get one paid holiday after 6 (six) days continuous work and shall 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.

Earned Leave.

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

Extra-ordinary leave.

15. (1) A permanent labourer may be sanctioned extra-ordinary leave without wages on medical ground for a period not exceeding 120 days in a calendar year subject to a maximum of 250 days during the total period of service.

- (2) Extra-ordinary leave sanctioned under this rule shall count as qualifying service for pension.

Sanctioning authority.

16. (1) 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.

- (2) Casual leave shall not be sanctioned in combination with any other leave.

- (3) Earned leave upto a maximum of 30 days at a time may be sanctioned by the Head of Office.

- (4) Extra-ordinary leave on medical ground may be sanctioned by the respective Deputy Director/Principal, TFTI within the limit specified in Rule-15.

Maintenance of Service record.

17. (1) Service Rolls and leave account shall be maintained by the concerned Head of Office. Service Roll shall include the following particulars, namely;

- (a) Name of the labourer
- (b) Father's name
- (c) Address-Permanent & Present
- (d) Date of birth
- (e) Qualification
- (f) Date of engagement
- (g) Nature of duty performed
- (h) Caste
- (i) Remarks

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

- (3) 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. (1) A permanent labourer shall superannuate at the age of 60 years.
- (2) A permanent labourer may at his option retire from service after rendering 33 years qualifying service and earn full pension subject to the minimum of Rs. 100/- per month.
- (3) 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 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 of invalidations while on duty before completing 10 (ten) 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 employees) (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 Central Civil Service Pension Rule, 1972. (As adopted in the State of Tripura).

Procedure of payment.

24. (1) Procedure of payment of pension to the permanent labourer shall be the same as provided in Central Treasury Rules Vol-I.  
(2) 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 2071-Pension and other Retirement Benefits.

Terminal Leave.

26. A permanent labourer retiring from service or otherwise leaving the job with 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 a sanctioned under specific order of the appointing authority.

Maternity Benefit.

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 the Office with the approval of the Appointing Authority on the basis of Medical certificate issued by the concerned Hospital/P. H. Centre.

Accommodation.

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

**Chapter-V.****CONDUCT AND DISCIPLINE**Disciplinary Authority.

29. The Head of Office shall be the disciplinary authorities in respect of the permanent labourer working within their jurisdiction (administrative control).



Suspension and other penalties.

30. (1) The Appointing Authority may suspend a permanent labourer for a temporary period without notice or without any compensation in lieu of notice, if he/she is found to be guilty of his/her misconduct. During the period of such suspension he/she shall not be entitled to any wages or compensation in any form.
- (2) For the purpose of the sub-rule (1) the following acts and omission shall be treated as misconduct;
- i) Willful insubordination or disobedience;
  - ii) taking or giving bribes or any illegal gratification;
  - iii) theft, fraud or dishonesty in connection with business or property of the Institutions including Farm/Stores etc.
  - iv) persistent late coming or habitual absence with leave;
  - vi) drunkenness, riotous or disorderly behavior during working hours at the place of work or any act or indiscipline;
  - vi) Immoral conduct, or
  - vii) negligence in duties.

Resignation Dismissal Removal

31. (1) No permanent labourer shall be dismissed from service without an enquiry. Orders for such removal and dismissal shall be made by the Appointing Authority.
- (2) The permanent labourer removed or dismissed from service shall not be entitled to any benefit of past service.
- (3) A permanent labourer who resign his/her job shall not be entitled to any benefit of past service including encashment of leave.

Chapter-VIMISCELLANEOUSProvident Fund.

32. (1) Each permanent labourer shall contribute to G.P.F. Account with effect from the date he/she is declared as permanent labourer.
- (2) 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.
- (3) The G.P.F. Account of the permanent labourer shall be maintained by the respective Head of Office in the same manner as is maintained for Class-IV (Group-D) Government servant.

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.

Control

35. The conditions of service of a permanent labourer in respect of the matters for which no provision 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 effect the reservation, 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 orders issued by the Central Government/State Government from time to time in this behalf.

S. N. CHAKRABORTY

Secretary to the  
Government of Tripura.