

NORMS TO BE FOLLOWED FOR PREPARATION
OF SENIORITY LIST IN THE CADRE OF
TAHSILDAR
IN
LAND REVENUE DEPARTMENT

(Approved as per the order dated 24. 01.2012 in LR T(1)-3000/2012)

1. METHOD OF APPOINTMENT

(1) Appointment of Tahsildars shall be made by recruitment by transfer from among full members and approved probationers in the Kerala Revenue Subordinate Service.

(2) Appointment of Tahsildars shall be made from select lists prepared from among eligible officers on the basis of merit and ability, seniority being considered only where the merit and ability are approximately equal. Persons included in a select list shall be ranked in the order of their seniority in the category of Deputy Tahsildars.

(Rule 4 of Kerala Revenue Service (Tahsildars) Special Rules, 1980)

2. QUALIFICATIONS

No persons shall be eligible for appointment to the service, unless he-

- (a) Holds a degree in law of a recognized University or has passed the Criminal Judicial Test; and
- (b) has passed the following Departmental Tests :-
 - (i) Revenue Test (All parts)
 - (ii) Account Test (Lower) or Account Test for Subordinate Officers, Part I (Madras); and
 - (iii) Survey Test (Higher):

Provided that the qualification under clause (a) shall be deemed to have become compulsory with effect from 17.10.1966:

Provided also that a pass in Survey Test (Higher) shall be made compulsory only from the 1st January 1974.

(Rule 6 of Kerala Revenue Service (Tahsildars) Special Rules, 1980)

3. PROBATION

- 1) Every person appointed as Tahsildar:
 - (a) for the period up to 21.02.2006 shall, from the date on which he joins duty, be on probation for a total period of two years on duty within a continuous period of 3 years.
 - (b) for the period from 22.02.2006 shall, from the date on which he joins duty, be on probation for a total period of one years on duty within a continuous period of two years.

[(G.O.(P) 3/2007/P&ARD dated 25.06.2007 (KS&SSR Amendment Rule 2007) & GO(P))NO.58/2010/RD dated 09.02.2010 (Special Rule Amendment 2010)]

Note :- A member of the service deputed or appointed on other duty to discharge the duties of another post shall be eligible to count the period of such deputation or appointment for probation in the service in which he was a probationer at the time of his deputation or appointment or in the service in which he would have been a probationer but for his deputation or appointment.

(Rule 7 of Kerala Revenue Service (Tahsildars) Special Rules, 1980)

- 2) Training:
Every person appointed as Tahsildar shall, before declaration of completion of his probation successfully, undergo Magisterial Training for a period of 8 weeks (6 weeks in the Police Departments and 2 weeks in the Judicial Department) as detailed in the annexure to the Kerala Revenue Service Special Rules 1980, if he has not undergone the training before appointment to the service.
(Rule 8 of Kerala Revenue Service (Tahsildars) Special Rules, 1980)

4. PREPARATION OF SENIORITY LIST

1. The seniority of a person appointed by promotion or by transfer from one service, class, category or grade to another service, class, category or grade shall, unless he has been reduced to a lower rank as punishment, be determined with reference to the date of order of appointment. Appointment shall not include appointment under Rule 9 or 31 for this purpose. *(Sub Rule (a) of Rule 27 of K.S & S.S.R and its explanation).*
2. Appointment to this post shall be made from a select lists prepared from among eligible officers in the category of Deputy Tahsildars by the Departmental Promotion Committee (Lower) on the basis of merit and ability, seniority being considered only where the merit and ability are approximately equal. *(Rule 28(b)(1) of K.S & S.S.R)*
3. Seniority of a person who has been granted extension of time to join duty beyond three months from the date of order of appointment shall be determined by the date of his joining duty. *(Rule 27 of K.S & S.S.R)*

4. Persons who have taken up Leave Without Allowance before completion of probation in the entry grade will have to start afresh and complete their probation on return from leave without allowance. They should forfeit their seniority prior to their proceeding on leave and they will be deemed as new entrants. Persons who have taken up Leave Without Allowance for employment within and outside India, for study purpose and for the purpose of joining spouse shall lose promotion benefits which may arise with reference to their seniority in the posts from which they proceeded on leave. They shall lose seniority in the higher grade/grades with reference to their juniors who might be promoted to such grade/grades before they re-join duty.

(Kerala Service Rules Rule 88, G.O.(P).780/83/Fin dated 16.12.1983, Circular No.16/98/Fin dated 16.3.1998)

5. As per Rule 28(bb) of KS&SSR, if a senior is qualified on a later date but prior to the date of occurrence of vacancy his right to be promoted cannot be declined.

(Govt. letter No.29738/C2/2011/RD dated 03/08/2011)

6. If a person is temporarily promoted under Rule 31 and subsequently promoted to the higher category in accordance with the rules he shall commence his probation, if any, in such category from the date of such subsequent promotion or from such earlier date as the appointing authority may determine without prejudice to seniority.

(Rule 31(e) of K. S & S. S. R)

A person promoted under Rule 31(a) or (b) shall not be regarded as a probationer in the higher category or be entitled by reason only of such promotion to any preferential claim to future promotion to such category.

(Rule 31(d) of K. S & S. S. R)

No one can be said to be on probation from a date anterior to the date on which he began to discharge the duties attached to that post.

(Janardhanan Vs State of Kerala 1991(1) KLP 875 confirmed by the Division Bench in WA 162 of 1991)

7. Rule 2(6)(f) states that a person is said to be on duty as a member of service when he is given the benefit of notional promotion consequent on revision of rank and seniority etc. However the provision contained in Rule 2(6)(f) have not any application of general character where notional dates are assigned in the case of large number of officers. In a case where an officer was denied promotion in spite of his putting forth the claim for same and ultimately if he wins in court, then only he will have his probation declared with an anterior date on account of the decision rendered by the court.

(Judgement in W.A. 162/1991 dated 6.4.1995)

Sd/-
Commissioner