

GOVERNMENT OF KERALA  
Abstract

KERALA STATE AND SUBORDINATE SERVICES RULES, 1958-  
AMENDMENTS TO GENERAL RULE 3- ISSUED

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GENERAL ADMINISTRATION (RULES) DEPARTMENT

G.O.(P) No 501/79/GAD.

Dated Trivandrum 10<sup>th</sup> September 1979

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NOTIFICATION

S.R.O.No1130/79- In exercise of the powers conferred by subsection (1) of section 2 of the kerala public service act,1968 (19 of 1968), read with section 3 thereof the Government of kerala hereby make the following amendments to the kerala state and subordinate service rules 1958 namely;-

AMENDMENTS

1. (1) These rules may be called the Kerala State and Subordinate services (Amendment) Rules, 1979.

(2) They shall come into force at once.

2. In part II of the Kerala state and subordinate services Rules, 1958, in sub rule © of rule 3

(i) in the provision for the words” within the period of probation of the candidate” the words “with a period of one year from the date of such advice” shall be substituted;

(ii) after the first provision the following provision the following provision shall be inserted, namely;

“provided further that, a cancellation of advice under this sub rule shall be made only after giving the candidate concerned a reasonable opportunity of being heard in the matter.”

By order of the Governor,

M.S.K. Ramaswamy,  
Special Secretary.

**Explanatory Note**

(This note is not part of the notification, but is intended to indicate its general purport.)

While disposing of certain Writ Appeals, the High Court of Kerala has observed that the period during which the power under rule 3 (c) of the General Rules can be exercised must be limited to a far shorter

duration from the fairly long period of two years. According to the Court this is essential for the equality of opportunity in the matter of employment as far as the service under the state service unrated by Article 16 of the Constitution of India is concerned. The High court has therefore suggested the appropriate amendment to sub rule (c) of Rule 3 of the General Rules read with the provision thereto may be issued so as to meet the ends of justices and to ensure that unnecessary and avoidable hardship are not committed due to the exercise of power in regard to a mistake committed by the kerala public service commission. The High Court is also of the view that any action taken for cancellation of the advice and termination of service of the candidate by the public service commission would be only after giving the representation from the candidate full and close consideration. The above observations of the High Court necessitate amendments of General Rule 3(c). This notification is intended to achieve the above object.

To

All Heads of Departments and Offices.  
All Departments (all sections) of the secretariat.  
The secretary, Kerala Public Service Commission. (With C L)  
The Registrar, University of Kerala, Trivandrum. ;  
The Registrar, University of Calicut, Calicut ;  
The Registrar, University of Cochin, Cochin ;  
The Registrar, Kerala Agricultural University, Trichur ;  
The General Manager, Kerala State Road Transport Corporation,  
Trivandrum.  
The Secretary, Kerala State Electricity Board, Trivandrum;  
The Registrar, High Court of kerala, Eranakulam. ;  
The Account General, Trivandrum. ;  
The Secretaries, Additional Secretaries, Joint Secretaries, Deputy  
Secretaries and under Secretaries to Government.  
The secretary to Governor.  
The Private Secretaries to the Chief Minister And other Ministers.  
The General administration (Pol. C)/ (Service –B) / (Service- D)/ (S. C.)  
Departments.  
The Stenographer to Chief Secretary and Additional Chief Secretary.  
All Recognized Service Associations.  
All recognized service associations