

G O V E R N M E N T O F K E R A L A

Abstract

PUBLIC SERVICES---THE KERALA STATE AND SUBORDINATE SERVICES
RULES, 1958--- AMENDMENT TO GENERAL RULE 28 (B) (1) --- ISSUED

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GENERAL ADMINISTRATION (RULES) DEPARTMENT

G.O.(P)No.10/84/GAD.

Dated, Trivandrum, 9th January 1984.

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NOTIFICATION

S.R.O.No. 112/84---In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), read with section 3 thereof, the Government of Kerala hereby make the following rules further to amend the Kerala State and Subordinate Services Rules, 1958, namely:-

RULES

- (1) These rules may be called the Kerala State and Subordinate services (Amendment)Rules, 1984
- (2) They shall come into force at once

In part II of the Kerala State and Subordinate Services Rules, 1958 in sub rule (b) of rule 28, in sub-clause (1),---

(1) for the last sentence the following sentences shall be substituted, namely:-

“Persons selected for inclusion in the Select List shall be ranked in the select list according to their seniority in the feeder category. When the special Rules provide for a definite ratio or order of preference from the feeder categories, persons from each feeder category shall be included in separate select lists and appointment shall be made in accordance with the ratio or order of preference prescribed by such Special Rules for each feeder category.”

(2) after clause (v) of the following clauses shall be added namely:-

“(vi) when there are more than one feeder category carrying different scales of pay , they shall be shown in separate lists and persons in a lower scale of pay shall be appointed only after appointing all persons on a higher scale of pay, unless the Special Rules prescribe a ratio or any special order of preference for each feeder category.”

(vii) When the posts in the feeder categories are on the same scale of pay and there is no fixed ratio, appointment shall be made in accordance with their seniority in the feeder category, the seniority being determined by the date of the order of first appointment to that particular category, class or grade.”

By order of the Governor,

M. DANDAPANI

Commissioner and Secretary to Government

Explanatory note

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

The high court in the judgment in a writ appeal relating to the selection and appointment to the post of Professor, Electrical Engineering in the college of Engineering has expressed the view that to understand the last sentence of sub-clause (7) of clause (i) of General Rule 28 (b) as meaning that the list has to be drawn up according seniority in the lower category would be quite inconsistent with the principles of selection based on merit and ability and also destructive of the earlier part of the rule. To make the intension of the Government clear it is proposed to substitute the last sentence of sub clause (7) of clause (i) of Rule 28 (b) of the Kerala State and Subordinate services Rules, 1958. To specify the procedure to be followed when there are more than one feeder category two clauses are also proposed to be added. This notification in intended to achieve the above object.

To

All Heads of Department and Officers
All Departments of the Secretariat (all sections)
The Secretary, Kerala Public Service Commission (with C.L)
The Registrar, University of Kerala, Trivandrum “”
The Registrar, University of Cochin, Cochin
The Registrar, University of Calicut, Calicut
The Registrar, Gandhiji University, Kottayam
The Registrar ,Kerala Agricultural University, Trichur (w2ith C L)
The Registrar, High Court of Kerala Ernakulam,
The General Manager, Kerala State Road Transport Corporation, Trivandrum
The secretary, Kerala State Electricity Board Trivandrum
The Accountant General, Kerala Trivandrum,
All Commissioners & Secretaries, Secretaries, Special Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and under Secretaries to Government.
The Secretary to Governor

The Private Secretaries to Chief Minister, Deputy Chief Minister and other Ministers.
The General Administration (services-D)/(Services-B)/(S.G) Departments.
The Deputy secretary to the Chief Secretary.
All Recongnised Service Associations.