

GOVERNMENT OF KERALA

Abstract

PUBLIC SERVICES – KERALA STATE AND SUBORDINATE SERVICES RULES,
1958 – GENERAL RULE 28 – AMENDMENT – ISSUED.

GENERAL ADMINISTRATION (RULES) DEPARTMENT

G.O. (P) No. 160/77/GAD.

Dated, Trivandrum, 2nd June 1977

NOTIFICATION

S.R. O. No. 497/77-In exercise of the powers conferred by subsection (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 amendment to the Kerala State and Subordinate Services Rules, 1958, namely:-

AMENDMENT

In Part II of the said rules, in sub-rule (b) of rule 28, before clause (ii), the following clause shall be inserted namely:-

“ (iA) Preparation of select list subsequent to the occurrence of vacancy- When a select list is prepared subsequent to the occurrence of a vacancy, no person who was not qualified for inclusion in the select list at the time of occurrence of the vacancy shall be included in the select list for appointment against that vacancy.”

The amendment hereby made shall be deemed to have come into force with effect on and from the 23rd October, 1962.

By order of the Governor,
ZACHARIA MATHEW,
Special Secretary.

Explanatory Note

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

An instance has been brought to the notice of Government in which the Departmental Promotion Committee prepared the select list of eligible candidates for promotion to a selection post a few months after it fell vacant. A junior who was qualified for the post on the date when the vacancy arose and his senior who qualified only subsequent to the date of vacancy, but before the date of the Department Promotion Committee meeting, were included in the select list, in which their names were ranked in the order of seniority as provided for in Rule 28 (b) (i) of the General Rules. Consequently the senior happened to be appointed to the post though he was not qualified for it on the date when the vacancy arose and to which the junior who was already qualified had legitimate claim as per rule 28 (bb). The choice of the wrong candidate for promotion as in the case given above has occurred owing to lack of clarity in the rules as to how the provision in rule 28 (bb) should be enforced while drawing up select list for a vacancy that

has arisen before the D.P.C. meets. The above amendment is intended to rectify the above defect in the rule.

To,

All Heads Departments and Offices.

All Department (all section) of the Secretariat

The Secretary, Kerala Public Service Commission

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

The Registrar, High Court of Kerala, Ernakulam

The Accountant General, Tirivandrum.

All 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 (Services-D)/(S.C.) Departments

The Stenographer to the Chief Secretary and Additional Chief Secretary

All Recognized Service Associations.
