

PART I

GOVERNMENT OF KERALA

Abstract

KERALA GOVERNMENT SERVANTS' APPLICATION FOR POSTS (PRIVATE EMPLOYMENT AND GOVERNMENT SERVICE) RULES, 1958- AMENDMENT TO SUB- RULE (2) OF RULE 2-ISSUED

GENERAL ADMINISTRATION (SERVICE-D) DEPARTMENT

G.O. (Ms) No 367/79/GAD

Dated, Trivandrum, 5th July 1979

NOTIFICATION

S.R.O.No.821/79- In exercise of the powers conferred by sub section (1) of the section 2 of the Kerala Public Services Act, 1968, 1968 (19 of 1968), read with section 3 thereof , the Government of Kerala hereby make the following amendment to the Kerala Government Servant's Application for Posts (Private Employment and government Service) Rules, 1958, namely:-

AMENDMENT

1. Short title and commencement.- (I) These rules may be called the Kerala Government Servant's Application for Posts (Private Employment and Government Service) Amendment rules, 1979.
(ii) They shall come in to force at once.
2. Amendment of rule 2.- In rule 2 of the Kerala Government Servant's Application for posts (Private employment and Government Service (Rules 1958, for sub- rule (2), the following shall be substituted, namely:-

“(2) (a) A Government servant employed in a service under the Administrative council of the Government of Kerala applying for a post or for transfer to a post in another office or Department of the Government of Kerala shall submit his application through the Head of the office in which he is working at the time of making the application:

Provided that an application to the Kerala Public commission or to any of its District Offices for appointment to any post noticed by its may be presented in original to the Kerala Public Service Commission or the District Office concerned as the case may be , with a receipt signed by the Head of his office that he has received a copy of the application and that he will communicate his objections, if any, to the entertainment of the application within one month of the last date fixed for the receipt for applications. It will be responsibility of the Head of the Office to inform the Commission or its District Office, as the case may be, either on his own motion or after taking orders of his superiors, whether objection is to be taken for entertaining the application. If such an objection is received by the Commission or its District office, as the case maybe, within one month of the last date fixed for the receipt of the application, the application shall be rejected. Otherwise, the application shall be admitted.

(b) Applications for the post or for transfer to a post under another State Government or the Government of India by a Government servant shall be submitted through the authority competent to appoint the applicant to the post which he holds at the time of making the application.

(c) The authorities specified in clauses (a) and (b) shall, either on their own motion or after taking orders of their superiors, wherever deemed necessary. Decide whether the Government Servant may be permitted to apply. Permission shall ordinarily be granted and the application forwarded to the authorities concerned unless it is considered that the grant thereof will not be consistent with the interest of the public service”.

By order of the Governor,

M.S.K.Ramaswamy,
Special Secretary.

Explanatory Note

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

In para 3 of G.O.Ms.No. 372/PD dated 17-12-1969, the following procedure was laid down for forwarding the application from the candidates in Government service to the Public Service Commission:-

“A candidate in service, whether in a Government or quasi-Government office, will be allowed to present his application in original to the Public Service commission / District Recruitment Board, as the case may be with a receipt signed by the Head of his office that he has received. a copy of the application and that he will communicate his objections, if any, to the entertainment of the application within two weeks of the last date fixed for the receipt of application. It will be the responsibility of the Head of the Office to inform the Commission / District Recruitment Board as the case may be, either on his own motion or after taking orders of his superiors, whether objection is to be taken for entertaining the application. If such an objection is received by the Commission within two weeks of the last date fixed for the receipt of the application, the application will be rejected .Otherwise, the application will be admitted.”

According to the above G.O the Head of Office competent to pass a certificate of receipt of duplicate of the application and allow the officer concerned to send the original direct to the Public Service Commission. But under the statutory provisions in the Kerala Government Servant's Application for Posts (Private Employment and government /services) Rules the application of Government Servants for posts in Government service has to be routed through the appointing authority. It is considered necessary to amend the said rules to be in the line with para 3 (I) of the G.O. referred to above , after enhancing the time limit of two weeks prescribed, therein for communicating the objection, if any, in entertaining the application, from two weeks to one month. This notification is intended to achieve the above object.

To

All Heads of Departments and Offices.

All Departments (all section) of the Secretariat.

The Secretary, Kerala Public Service Commission Trivandrum (with C.L) – vide letter No AII (1) 37151/77/GW dated 31-3-1979.

The Higher Education Department- Vide File No.9669/A2/77/H.Edn

The General Administration Department (SC) _ Vide proceeding of the Council of Ministers dated 2-7-1979 on agenda item No. 764.

The Registrars, High Court Ernakulam.

The Registrar, University of Kerala / Cochin / Calicut (with C.L)

The Registrar, Kerala Agricultural University, Trichur. (with C.L)

The Advocate General, Ernakulam (with C.L)

The Secretary, Kerala State Electricity Board (with C.L)

The General Manager, Kerala State road Transport Corporation. (with C.L)

The Secretary to Governor.(with C.L)

The Secretary to the Chief Minister and Private Secretaries to other Ministers.

The Confidential Assistant to the Chief Secretary.

The Director of Public Relations.
