

GOVERNMENT OF KERALA
Law (Legislation-G) Department

NOTIFICATION

No.24904/Leg.G2/2015/ Law.

21st Decebmer, 2015

Dated, Thiruvananthapuram, 5th Dhanu, 1191

30th Agrahayana 1937.

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor of Kerala is pleased to authorise the publication in the Gazette of the following translation in English language of the Kerala Public Service Commission (Additional Functions as Respects the Services under the Universities) Act, 2015 (18 of 2015).

By order of the Governor,

D. SAJU,

Special Secretary (Law).

☛ [Translation in English of “2015-ലെ കേരള പബ്ലിക് സർവ്വീസ് കമ്മീഷൻ (സർവ്വകലാശാലകളുടെ കീഴിലുള്ള സർവ്വീസുകളെ സംബന്ധിച്ച കൂടുതൽ ചുമതലകൾ) ആക്റ്റ്” published under the authority of the Governor.]

ACT No. 18 OF 2015

THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS AS RESPECTS THE SERVICES UNDER THE UNIVERSITIES) ACT, 2015

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ACT

to provide for the exercise of certain additional functions by the Kerala Public Service Commission as respects the services under the Universities;

Preamble.—WHEREAS, it is expedient to provide for the exercise of certain additional functions by the Kerala Public Service Commission as respects the services under the Universities;

BE it enacted in the Sixty-sixth year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Public Service Commission (Additional Functions as Respects the Services under the Universities) Act, 2015.

(2) It shall be deemed to have come into force on the 29th day of September, 2015.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “University” means,—

(i) the Kerala Agricultural University established under section 3 of the Kerala Agricultural University Act, 1971 (33 of 1971); or

(ii) the University of Kerala established under section 3 of the Kerala University Act, 1974 (17 of 1974) ; or

(iii) the University of Calicut established under section 3 of the Calicut University Act, 1975 (5 of 1975); or

(iv) the Mahatma Gandhi University established under section 3 of the Mahatma Gandhi University Act, 1985 (12 of 1985); or

(v) the Cochin University of Science and Technology established under section 4 of the Cochin University of Science and Technology Act, 1986 (31 of 1986) ; or

(vi) the Sree Sankaracharya University of Sanskrit established under section 3 of the Sree Sankaracharya University of Sanskrit Act, 1994 (5 of 1994) ; or

(vii) the Kannur University established under section 3 of the Kannur University Act, 1996 (22 of 1996); or

(viii) the National University of Advanced Legal Studies established under section 3 of the National University of Advanced Legal Studies Act, 2005 (27 of 2005) ; or

(ix) the Kerala Veterinary and Animal Sciences University established under section 3 of the Kerala Veterinary and Animal Sciences University Act, 2010 (3 of 2011); or

(x) the Kerala University of Health Sciences established under section 3 of the Kerala University of Health Sciences Act, 2010 (4 of 2011); or

(xi) the Kerala University of Fisheries and Ocean Studies established under section 3 of the Kerala University of Fisheries and Ocean Studies Act, 2010 (5 of 2011) ; or

(xii) the Thunchath Ezhuthachan Malayala University established under section 3 of the Thunchath Ezhuthachan Malayala University Act, 2013 (24 of 2013); or

(xiii) the A. P. J. Abdul Kalam Technological University established under section 3 of the A. P. J. Abdul Kalam Technological University Act, 2015 (17 of 2015);

(b) "Public Service Commission" means the Kerala Public Service Commission;

(c) "non-teaching post" means the non-teaching post as per the University statutes concerned.

3. *Functions of the Public Service Commission.*—(1) Notwithstanding anything contained in the University Acts specified in clause (a) of section 2 and the statutes, ordinances, regulations and rules made thereunder, it shall be the duty of the Public Service Commission to prepare select list, for appointment by direct recruitment, of employees to the non-teaching post of a University.

(2) A University shall consult the Public Service Commission,—

(a) on all matters relating to the method of recruitment of the non-teaching staff of the University; and

(b) on the principles to be followed in making appointments by direct recruitment to the non-teaching posts in the University and the suitability of candidates for such appointments.

(3) Where the Public Service Commission is consulted on a matter under sub-section (2), the Commission shall advise the University on that matter. •

(4) In the case of any difference of opinion between the Public Service Commission and the University on a matter under sub-section (2), the University shall refer the matter to the Government and the decision of the Government thereon shall be final:

Provided that the Government shall, before taking a decision against the advise of the Public Service Commission, refer the matter to the Public Service Commission.

4. *Power to make rules.*— (1) The Government may, in consultation with the Public Service Commission and the University, by notification in the Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for,—

(a) the procedure to be followed by the University for consultation with the Public Service Commission;

(b) any matter which is incidental to, or necessary for, the purpose of consultation with the Public Service Commission;

(c) any matter in which it shall not be necessary to consult the Public Service Commission.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which it is so laid, or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

5. *Repeal and saving.*—(1) The Kerala Public Service Commission (Additional Functions as respects the Universities) Ordinance, 2015 (14 of 2015) is hereby repealed.

(2) Notwithstanding such repeal, anything or things done or any action or actions taken under the said Ordinance shall be deemed to have been done or taken under this Act.