

**THE KERALA PUBLIC SERVICE COMMISSION
(ADDITIONAL FUNCTIONS) ACT, 1963**

(Act 16 of 1964)

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**THE KERALA PUBLIC SERVICE COMMISSION
(ADDITIONAL FUNCTIONS) ACT, 1963**

(Act 16 of 1964) *

An act to provide for the exercise of certain additional functions by the Kerala Public Service Commission.

Preamble.—WHEREAS it is expedient to provide for the exercise of certain additional functions by the Kerala Public Service Commission in respect of appointments of officers and servants of the Kerala State Electricity Board and their conditions of service ;

BE it enacted in the Fourteenth 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) Act, 1963.

(2) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

* Published in the Gazette Extra ordinary dated 4th May, 1964.

Received the assent of the President on the 29th day of April, 1964.

For Statement of Objects and Reasons—See Gazette Extraordinary dated 14th January, 1963.

For Report of the Select Committee—See Gazette Extraordinary dated 22nd October, 1963.

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

(a) “Electricity Board” means the Kerala State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948 ;

(b) “Public Service Commission” means the Kerala Public Service Commission.

3. *Functions of the Public Service Commission in respect of services under the Electricity Board.*—(1) Notwithstanding anything contained in the Electricity (Supply) Act (Central Act 54 of 1948), or the rules or regulations made thereunder regarding the recruitment and conditions of service of officers and servants of the Electricity Board, the Public Service Commission shall be consulted—

(a) on all matters relating to methods of recruitment to services and posts under the Electricity Board ;

(b) on the principles to be followed in making appointments to services and posts under the Electricity Board and in making promotions and transfers from one service to another and on the suitability of candidates for such appointments, promotions or transfers ;

(c) on any claim by or in respect of a person who is serving or has served under the Electricity Board that any costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the funds of the Electricity Board ;

(d) on any claim for the award of a pension in respect of injuries sustained by a person while serving under the Electricity Board and any question as to the amount of such award ;

and it shall be the duty of the Public Service Commission to advise on any matter so referred to them :

Provided that the Government may make rules specifying the matters in which either generally or in any particular class of cases or in any particular circumstances, it shall not be necessary for the Public Service Commission to be consulted.

(2) In the case of any difference of opinion between the Public Service Commission and the Electricity Board on any matter, the Electricity Board shall refer the matter to the Government and the decision of the Government thereon shall be final :

Provided that the Government before taking a decision against the advice of the Commission shall refer the matter to the Commission.

4. *Power to make rules.*—(1) The Government may, in consultation with the Public Service Commission, make rules for carrying out the purpose 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 Electricity Board 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) matters in which it shall not be necessary for the Public Service Commission to be consulted.

(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.