

ACT 27 OF 2014

THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS AS RESPECTS THE LOK AYUKTA) ACT, 2014*

An Act to provide for the exercise of certain additional functions by the Kerala Public Service Commission as respects the services of the Lok Ayukta.

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 Kerala Lok Ayukta;

BE it enacted in the Sixty-fifth 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 Lok Ayukta) Act, 2014.

(2) It shall come into force at once.

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

(a) “Lok Ayukta” means the Lok Ayukta appointed under section 3 of the Kerala Lok Ayukta Act, 1999 (8 of 1999) and includes the Upa-Lok Ayukta appointed under the said section;

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

3. *Functions of the Public Service Commission in respect of services under the Lok Ayukta.*—(1) Notwithstanding anything contained in the Kerala Lok Ayukta Act, 1999 (8 of 1999) or the rules made thereunder in respect of the appointment and conditions of service of officers and employees of the Lok Ayukta, it shall be the duty of the Public Service Commission to prepare select list, for appointment by direct recruitment, of officers and employees of the Lok Ayukta.

(2) The Lok Ayukta shall consult the Public Service Commission,—

(a) on matters relating to direct recruitment to the services and posts under the Lok Ayukta;

(b) on the principles to be followed in making appointments by direct recruitment of officers and employees of the Lok Ayukta and on the suitability of candidates for such appointments,

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

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

(3) If there is any difference of opinion between the Public Service Commission and the Lok Ayukta on a matter under sub-section (2), the Lok Ayukta shall refer the matter to the Government and the decision of the Government thereon shall be final:

Provided that before taking a decision by the Government against the advice of the Public Service Commission, the matter shall be referred to the Public Service Commission.

4. *Power to make rules.*—(1) The Government may, in consultation with the Public Service Commission and the Lok Ayukta, 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 Lok Ayukta for consultation with the Public Service Commission; and

(b) any matter which is incidental to, or necessary for, the purpose of consultation with 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.
