

THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS AS
RESPECTS THE KERALA STATE ROAD TRANSPORT CORPORATION) ACT, 1970

(ACT 3 OF 1970)

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ACT 3 OF 1970

THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL
FUNCTIONS AS RESPECTS THE KERALA STATE ROAD
TRANSPORT CORPORATION) ACT, 1970*

An Act to provide for the exercise of certain additional functions by the Kerala Public Service Commission as respects the services of the Kerala State Road Transport Corporation.

Preamble.—WHEREAS it is expedient to provide for the exercise of certain additional functions by the Kerala Public Service Commission as respects the services of the Kerala State Road Transport Corporation;

BE it enacted in the Twentieth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Public Service Commission (Additional Functions as respects the Kerala State Road Transport Corporation) Act, 1970.

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

(a) "Corporation" means the Kerala State Road Transport Corporation established under section 3 of the Road Transport Corporations Act, 1950 (Central Act 64 of 1950);

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

3. *Functions of the Public Service Commission in respect of services under the Corporation.*— (1) The Corporation may consult the Public Service Commission—

(a) on all matters relating to the methods of recruitment of the officers and servants of the Corporation other than the Chief Executive Officer or General Manager and the Chief Accounts Officer;

(b) on the principles to be followed in making appointments by direct recruitment of the officers and servants of the Corporation other than the Chief Executive Officer or General Manager and the Chief Accounts Officer and on the suitability of candidates for such appointments.

(2) Where the Public Service Commission is consulted on any matter under subsection (1), it shall be the duty of the Commission to advise the Corporation on that matter.

(3) In the case of any difference of opinion between the Public Service Commission and the Corporation on any matter, the Corporation 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 Public Service Commission, shall refer the matter to the Commission.

* Received the assent of the Governor on the 7th day of February, 1970 and published in the Kerala Gazette Extraordinary No.57 dated 9th February, 1970.

¹[3A. *Appointment of persons in Sports Quota.*—Notwithstanding anything contained in section 3, it shall not be necessary to consult the Public Service Commission in respect of any of the matters specified in clauses (a) and (b) of sub-section (1) thereof, in so far as it relates to appointment by direct recruitment of persons proficient in sports and games to such of the vacancies in the posts reserved by the Corporation in a year for such appointment.]

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

²[(c) any matter in respect of which 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) Ordinance, 1969 (8 of 1969) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had commenced on the 17th day of December, 1969.

1 Inserted by Act 13 of 1990 (w.e.f. 05.04.1990).

2 Inserted by Act 13 of 1990 (w.e.f. 09.02.1970).