

THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS AS RESPECTS
THE SERVICES UNDER THE KERALA STATE POLLUTION CONTROL BOARD) ACT, 2015

ACT 22 OF 2015

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

ACT 22 OF 2015

THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS AS RESPECTS THE SERVICES UNDER THE KERALA STATE POLLUTION CONTROL BOARD) ACT, 2015*

An Act to provide for the exercise of certain additional functions by the Kerala Public Service Commission as respects the services under the Kerala State Pollution Control Board.

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 State Pollution Control Board;

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

1. *Short title and commencement.*—This Act may be called the Kerala Public Service Commission (Additional Functions as respects the Services under the Kerala State Pollution Control Board) Act, 2015.

(2) It shall come into force at once.

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

(a) “Kerala State Pollution Control Board” means the Kerala State Pollution Control Board constituted under section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974) and it shall also be deemed to be the State Board for the Prevention and Control of Air Pollution under section 4 of the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981);

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

(c) “Services” means the services under the Kerala State Pollution Control Board;

(d) “Government” means the Government of Kerala.

3. *Functions of the Public Service Commission in respect of the services under the Kerala State Pollution Control Board.*— (1) It shall be the duty of the Public Service Commission to

*Received the assent of the Governor on the 23rd day of December, 2015 and published in the Kerala Gazette Extraordinary No. 2890 dated 26th December, 2015.

prepare the select list of candidates for making appointment by direct recruitment to the posts under the services of the Board.

(2) The Kerala State Pollution Control Board shall consult the Public Service Commission,-

(a) on all matters relating to direct recruitment to the posts, other than the post of Watchman and Part-time Sweeper, under the services of the Kerala State Pollution Control Board;

(b) on the principles to be followed in making appointments by direct recruitment, promotions and by transfer to the posts under the services of the Kerala State Pollution Control Board and on the suitability of candidates for such appointments.

(3) It shall be the duty of the Public Service Commission to tender advice on any matter on which their advice or instruction under sub-section (2) is sought:

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

(4) In case of any difference of opinion between the Public Service Commission and the Kerala State Pollution Control Board on any matter, the Kerala State Pollution Control Board 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 advice 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 Kerala State Pollution Control Board, 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 Kerala State Pollution Control Board for consultation with the Public Service Commission;

(b) the matters in which it shall not be necessary for the Public Service Commission to be consulted;

(c) any matter which is incidental to, or necessary for, the purpose of any 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 as per that rule.
