



## The Kerala Public Services Act, 1968

Act 19 of 1968

**Keyword(s):**

Conditions of Service, Recruitment, Public Services

Amendments appended: 5 of 1970, 20 of 1979, 4 of 1984

**DISCLAIMER:** This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

# THE KERALA PUBLIC SERVICES ACT, 1968<sup>[1]</sup>

Act 19 of 1968

*An Act to regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the State of Kerala*

*Preamble.*—WHEREAS it is considered necessary that the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the State of Kerala should be regulated by an Act of the Kerala State Legislature;

BE it enacted in the Nineteenth Year of the Republic of India as follows:-

<sup>[2]</sup>*["1 Short title and commencement.*-(1) This Act may be called the Kerala Public Services Act, 1968.

(2)Section 3 shall come into force on the 17 th day of September, 1968 and the remaining provisions of this Act shall be deemed to have come into force on the 1 st day of November, 1956.”]

(2)*Regulation of recruitment and conditions of service.*—(1) The Government may make rules <sup>[3]</sup>[either prospectively or retrospectively] to regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the State of Kerala.

(2)Every rule made under this section 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 agrees that the rule should be either modified or annulled, 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.

<sup>[4]</sup> *["3 Continuance of existing rules.*—All rules made under the proviso to article 309 of the Constitution of India, regulating the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the State of Kerala and in force immediately before the 17 th September, 1968, shall be deemed to have been made under this Act and shall continue to be in force unless and until they are superseded by rules made under this Act.”]

<sup>[5]</sup>*["4. Act and rules thereunder to apply to certain persons notwithstanding anything in the Industrial Disputes Act or any other law.*—Notwithstanding anything contained in Chapter VA or in any other provision of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) or in any other law for the time being in force, or in any judgment, decree or

order of any court, the appointment of any person to any public service or post in connection with the affairs of the State of Kerala and the conditions of service (including termination of service) of any person appointed to any such service or post shall be governed by the provisions of this Act and the rules made or deemed to have been made thereunder.”]

-----

**THE KERALA PUBLIC SERVICES (AMENDMENT) ACT 1970**[\[1\]](#)

(Act 5 of 1970)

**An Act to amend the Kerala Public Services Act, 1968**

*Preamble.*—WHEREAS it is expedient to amend the Kerala Public Services Act, 1968 for the purpose hereinafter appearing;

Be it enacted in the Twentieth Year of the Republic of India as follows:-

1.*Short title and commencement.*-(1) This Act may be called the Kerala Public Services (Amendment) Act, 1970.

(2)It shall be deemed to have come into force on the 17 th day of September, 1968

2.*Amendment of section 2.*—In sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), hereinafter referred to as the principal Act, after the words “The Government may make rules” the words “either prospectively or retrospectively” shall be inserted.

3.*Repeal and saving.*- (1) The Kerala Public Services (Amendment) Ordinance, 1969 (6 of 1969), is hereby repealed.

(2)Notwithstanding such repeal, any rules in exercise of the powers conferred by the principal Act as amended by the said Ordinance, shall be deemed to have been issued under the said Act as amended by this Act.

-----

**The Kerala Public Services (Amendment) Act, 1979 [\[1\]](#)**

**(Act 20 of 1979)**

*An Act further to amend the Kerala Public Services Act, 1968*

Preamble.- WHEREAS it is expedient further to amend the Kerala Public Services Act, 1968, for the purposes hereinafter appearing;

BE it enacted in the Thirtieth Year of the Republic of India as follows: -

1. Short title and commencement.- (1) This Act may be called the Kerala Public Service (Amendment) Act, 1979.

(2) It shall be deemed to have come into force on the 3<sup>rd</sup> day of July, 1979.

2 . Substitution of new section for section 1 .- For section 1 of the Kerala Public Services Act, 1968 (19 of 1968) (hereinafter referred to as the principal Act), the following section shall be, and shall be deemed always to have been, substituted, namely:-

“(1) Short title and commencement , - (1) This Act may be called the Kerala Public Services Act, 1968.

(2) Section 3 shall come into force on the 17<sup>th</sup> day of September, 1968 and the remaining provisions of this Act shall be deemed to have come into force on the 1<sup>st</sup> day of November, 1956.”.

3. Substitution of new section for section 3 . -For section 3 of the principal Act, the following section shall be substituted, namely:-

“(3) Continuance of existing rules . - All rules made under the proviso to article 309 of Constitution of India, regulating the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the State of Kerala and in force immediately before the 17<sup>th</sup> September, 1968, shall be deemed to have been made under this Act and shall continue to be in force unless and until they are superseded by rules made under this Act.”.

4. Repeal and saving.- (1) The Kerala Public Services (Amendment) Ordinance, 1979 (4 of 1979), is hereby repealed.

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

THE KERALA PUBLIC SERVICES (AMENDMENT) ACT, 1983 [\[1\]](#)

(Act 4 of 1984)

*An Act further to amend the Kerala Public Services Act, 1968.*

*Preamble.*-WHEREAS it is expedient further to amend the Kerala Public Services Act, 1968, for the purpose hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:-

*1.Short title and commencement.*-(1) This Act may be called the Kerala Public Services (Amendment) Act, 1983.

(2)It shall be deemed to have come into force on the 1 st day of October, 1981.

*2.Insertion of new section 4.*—In the Kerala Public Services Act, 1968 (19 of 1968) (hereinafter referred to as the principal Act), after section 3, the following section shall be inserted namely:-

“4. *Act and rules thereunder to apply to certain persons notwithstanding anything in the Industrial Disputes Act or any other law.*- Notwithstanding anything contained in Chapter VA or in any other provision of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) or in any other law for the time being in force, or in any judgment, decree or order of any court, the appointment of any person to any public service or post in connection with the affairs of the State of Kerala and the conditions of service (including termination of service) of any person appointed to any such service or post shall be governed by the provisions of this Act and the rules made or deemed to have been made thereunder.”

*3.Repeal and saving.*-(1) The Kerala Public Services (Amendment) Ordinance, 1983 (36 of 1983), is hereby repealed.

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