The Kerala Public Service Commission (Additional Functions as Regards Certain Corporations and Companies) Act, 1970

Act 19 of 1970

Keyword(s):
Corporation, Public Service Commission

Amendments appended: 16 of 1988, 17 of 2022, 29 of 2023
THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS AS RESPECTS CERTAIN CORPORATIONS AND COMPANIES) ACT, 1970 (ACT 19 OF 1970)

An Act to provide for the exercise of certain additional functions by the Kerala Public Service Commission as respects the services of certain Corporations and Companies

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 certain Corporations and Companies;

BE it enacted in the Twenty-first 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 certain Corporations and Companies) Act, 1970.

(2) It shall come into force at once.

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

(a) "Corporation" means the Kerala State Financial Corporation established under section 3 of the State Financial Corporations Act, 1951 (Central Act 63 of 1951) or the Kerala State Warehousing Corporation established under section 18 of the Warehousing Corporations Act, 1962 (Central Act 58 of 1962) or the Kerala Khadi and Village Industries Board established under section 4 of the Kerala Khadi and Village Industries Board Act, 1957 (Act 9 of 1957);


[2] [Government Company means---

(i) a company as defined in section 3 of the Companies Act, 1956 (Central Act 1 of 1956), in which not less than fifty-one percent of the paid up share capital is held by the Government of Kerala; or

(ii) a company as so defined, in which not less than fifty-one percent of the paid up share capital is held partly by the Government of Kerala and partly by a company mentioned in sub clause (i); or
(iii) a company which is a subsidiary within the meaning of section 4 of the said Act of a company mentioned in sub clause (i);]

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

3. **Functions of the Public Service Commission in respect of services of certain Corporations and Companies.**-(1) A Corporation may consult the Public Service Commission-

(a) on all matters relating to the methods of recruitment of the officers and other employees of that Corporation;

(b) on the principles to be followed in making appointments by direct recruitment of the officers and other employees of that Corporation and on the suitability of candidates for such appointments

(2) The Board of Directors of a Government Company may consult the Public Service Commission-

(a) on all matters relating to the methods of recruitment of the employees of that Government company;

(b) on the principles to be followed in making appointments by direct recruitment of the employees of that Government Company and on the suitability of candidates for such appointments.

**Explanation.**- In this sub-section "employee" shall not include any director, managing agent, secretary and treasurer, manager or secretary of the Government Company.

(3) Where the Public Service commission is consulted on any matter under sub-section (1) or sub-section (2), it shall be the duty of the Public Service Commission to advise the Corporation or the Board of Directors of the Government Company, as the case may be, on that matter.

(4) In the case of any difference of opinion between the Public Service commission and the Corporation or the Board of directors of the Government Company, as the case may be on any matter, the Corporation or the Board of Directors 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.

4. **Power to make rules.**-(1) The Government may, in consultation with the Public Service Commission, the Corporations and the Boards of Directors of the Government Companies, 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 Corporations and the Boards of Directors of the Government Companies 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.

(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.


(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been 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 10th day of September, 1970.

Preamble. — whereas it is expedient to amend the Kerala Public Service Commission (Additional Functions as Respects Certain Corporations and Companies) Act, 1970, for the purposes hereinafter appearing;

be it enacted in the Thirty-ninth 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 Certain Corporations and Companies) Amendment Act, 1988.

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


   (1) in clause (a), the words, figures and brackets "or the Toddy workers' Welfare Fund Board constituted under section 6 of the Toddy Workers' Welfare Fund Act, 1969 (22 of 1969) or the Kerala Headload Workers' Welfare Board established under section 14 of the Kerala Headload Workers' Act, 1978 (20 of 1980) or the Kerala Motor Transport Workers' Welfare Fund Board constituted under section 6 of the Kerala Motor Transport Workers' Welfare Fund Act, 1985 (21 of 1985 or the Kerala Labour Welfare Fund Board established under 4 of the Kerala Labour Welfare Fund Act, 1975 (11 of 1977)" shall be inserted at the end;

   (2) for clause (b), the following clause shall be substituted, namely: —

   "(b) "Government Company” means—

   (i) a company as defined in section 3 of the Companies Act, 1956 (Central Act 1 of 1956), in which not less than fifty-one percent of the paid up share capital is held by the Government of Kerala; or
(ii) a company as so defined, in which not less than fifty-one per cent of the paid up
share capital is held partly by the Government of Kerala and partly by a company
mentioned in sub-clause (i); or

(iii) a company which is a subsidiary within the meaning of section 4 of the said
Act of a company mentioned in sub clause (i);”.
The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 20th day of September, 2022.

By order of the Governor,

V. HARI NAIR,
Law Secretary.
ACT 17 OF 2022

THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS AS RESPECTS CERTAIN CORPORATIONS AND COMPANIES) AMENDMENT ACT, 2022

An Act further to amend the Kerala Public Service Commission (Additional Functions as respects certain Corporations and Companies) Act, 1970.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Public Service Commission (Additional Functions as respects certain Corporations and Companies) Act, 1970 (19 of 1970) for the purposes hereinafter appearing;

Be it enacted in the Seventy-third 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 certain Corporations and Companies) Amendment Act, 2022.

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

2. Amendment of section 2.—In section 2 of the Kerala Public Service Commission (Additional Functions as respects certain Corporations and Companies) Act, 1970 (19 of 1970) (hereinafter referred to as the principal Act), in clause (a), the words, figures and brackets “or the Kerala Non-Resident Keralites’ Welfare Board constituted under section 9 of the Non-Resident Keralites’ Welfare Act, 2008 (10 of 2009)” shall be inserted at the end, before the symbol “;”.

3. Validation.—(1) Notwithstanding the cessation of operation of the Kerala Public Service Commission (Additional Functions as respects certain Corporations and Companies) Amendment Ordinance, 2022 (13 of 2022) (hereinafter referred to as the said Ordinance) on the 8th day of August, 2022,—

(a) 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;
(b) anything done or any action taken after the cessation of operation of the said Ordinance and before the date of publication of this Act in the Gazette, which could have been done or taken under the principal Act as amended by the said Ordinance, had it not been ceased to operate, shall be deemed to have been done or taken under the principal Act as amended by this Act.
The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 30th day of November, 2023.

By order of the Governor,

K. G. SANAL KUMAR,
Law Secretary.
ACT 29 OF 2023

THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS AS RESPECTS CERTAIN CORPORATIONS AND COMPANIES) AMENDMENT ACT, 2023

An Act further to amend the Kerala Public Service Commission (Additional Functions as respects certain Corporations and Companies) Act, 1970.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Public Service Commission (Additional Functions as respects certain Corporations and Companies) Act, 1970 (19 of 1970) for the purposes hereinafter appearing;

BE it enacted in the Seventy-fourth 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 certain Corporations and Companies) Amendment Act, 2023.

(2) It shall come into force at once.

2. Amendment of section 2.—In section 2 of the Kerala Public Service Commission (Additional Functions as respects certain Corporations and Companies) Act, 1970 (19 of 1970), in clause (a), the words, figures, brackets and symbols “or the Kerala Agricultural Workers’ Welfare Fund Board constituted under section 11 of the Kerala Agricultural Workers’ Act, 1974 (18 of 1974) or the Kerala Building and Other Construction Workers' Welfare Board constituted under sub-section (1) of section 18 of the Building and Other Construction Workers’ (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act 27 of 1996) or the Kerala Shops and Commercial Establishments Workers’ Welfare Fund Board constituted under section 6 of the Kerala Shops and Commercial Establishments Workers’ Welfare Fund Act, 2006 (24 of 2006) or the Kerala Abkari Workers’ Welfare Fund Board constituted under section 6 of the Kerala Abkari Workers’ Welfare Fund Act, 1989 (19 of 1989) or the Kerala Fishermen's Welfare Fund Board constituted under section 7 of the Kerala Fishermen's Welfare Fund Act, 1985 (30 of 1985)” shall be inserted at the end, before the symbol“;”.

This is a digitally signed Gazette. Authenticity may be verified through https://compose.kerala.gov.in/
കേരള സർക്കാർ

നിയമ വകുപ്പ്

നമ്പ്. 28/മെയ്. തിഥി1/2023/നിയ.

നിയമനിര്‍മ്മാണ-ബി വകുപ്പിന്റെ വിജ്ഞാപനം

നല്ലരുതന്നെ വകുപ്പുകളില്‍ എല്ലാ നിയമസഭയുടെ നിയം സൃഷ്ടിച്ച പ്പകാരമുള്ള ബില്ലിന് 2023 നവംബര്‍മാസം 30-ആം തിയ്യതി ഗവര്‍ണറുടെ അനുമതി ഉത്തരവിഞ്ഞയ്ക്കുന്നു.

കയ്യിട്ടൊരു ജനാധിപസ്ഥാപകാധികാരി,

നി. എം. സബ്രി ആഷൂ, വിലയിലുള്ള.
2023-ലെ 29-ആ ഡിസംബർ

2023-ലെ കേരള പബ്ലിക് സര്‍ക്കാരിന്റെ (അതി കാസ്‌റ്റ്സ്‌മാനാധാരണം കാസ്‌റ്റ്സ്‌നില്ല് കോർപ്പിലിന്റെ) സേവനത്തിന് അവകാശം

1970-ലെ കാസ്‌റ്റ്സ്‌വും കേരള പബ്ലിക് സര്‍ക്കാരിന്റെ (അതി കാസ്‌റ്റ്സ്‌മാനാധാരണം കാസ്‌റ്റ്സ്‌നില്ല് കോർപ്പിലിന്റെ) അവകാശം 

നിലനിര്‍ത്തുന്ന അതിന് അവകാശം 

നേരു അവകാശം

നിലനിര്‍ത്തുന്നത്—1970-ലെ കാസ്‌റ്റ്സ്‌വും കേരള പബ്ലിക് സര്‍ക്കാരിന്റെ (അതി കാസ്‌റ്റ്സ്‌മാനാധാരണം കാസ്‌റ്റ്സ്‌നില്ല് കോർപ്പിലിന്റെ) അവകാശം 

(1970-ലെ 19) സാമ്പത്തിക കര്‍മ്മമാനോപകരണത്തിന് നിലനിര്‍ത്തുന്ന അതിന് അവകാശം

രക്ത പൊരുത്തിക്കൊന്ന് കണ്ണിലിലെത്തുന്ന സാമ്പത്തിക കര്‍മ്മനിര്‍മ്മാണം പക്ഷത്തെ 

1970-ലെ കാസ്‌റ്റ്സ്‌വും കേരള പബ്ലിക് സര്‍ക്കാരിന്റെ (അതി കാസ്‌റ്റ്സ്‌മാനാധാരണം കാസ്‌റ്റ്സ്‌നില്ല് കോർപ്പിലിന്റെ) അവകാശം അതിന് അവകാശം

(2) 

2-ആ ഉപവകുപ്പിന് നിലനിര്‍ത്തുന്നത്—1970-ലെ കാസ്‌റ്റ്സ്‌വും കേരള പബ്ലിക് സര്‍ക്കാരിന്റെ (അതി കാസ്‌റ്റ്സ്‌മാനാധാരണം കാസ്‌റ്റ്സ്‌നില്ല് കോർപ്പിലിന്റെ) അവകാശം

(1970-ലെ 19) 2-ആ ഉപവകുപ്പ് (ആ) അന്വേഷണത്തിന്റെ, “ഭാരത രിപ്പബ്ലിക് അവകാശം” അന്വേഷണത്തിന്റെ പ്രാധാന്യത്തിന് അവകാശം “കെസ്‌സ്‌റ് നിര്‍ദേശം 1974-ലെ കോഴ്സ് കോഴ്സ് കര്‍മ്മം സ്ഥാപിത കെസ്‌സ്‌റ് നിര്‍ദേശം (1974-ം ജൂലൈ 11-ആ മാസത്തെ) പ്രസാദത്തിന്റെ കോഴ്സ് കോഴ്സ് കോഴ്സ് കര്‍മ്മം സ്ഥാപിത കെസ്‌സ്‌റ് നിര്‍ദേശം 1996-ലെ കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴ്സ് കോഴും 

This is a digitally signed Gazette. 
Authenticity may be verified through https://compose.kerala.gov.in/
രൂപീകരിച്ചിട്ടുള്ള ടകട്ടിെ

മറു നിര്‍മ്മാണടത്താെിെിെയിലബാര്‍മ്ഡ്

ഇംഗ്ലീഷ്

This is a digitally signed Gazette.
Authenticity may be verified through https://compose.kerala.gov.in/