

THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS
AS RESPECTS THE ADMINISTRATIVE SERVICES UNDER
DEVASWOM BOARDS) BILL, 2007

(As Passed by the Assembly)

A

BILL

to provide for the exercise of certain additional functions by the Kerala Public Service Commission as respects the administrative services under certain Devaswom Boards.

Preamble.—WHEREAS, it is expedient to provide for the exercise of certain additional functions by the Kerala Public Service Commission as respects the appointments of officers and servants in the administrative services under certain Devaswom Boards in the State of Kerala and their conditions of service ;

BE it enacted in the Fifty-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 the Administrative Services under Devaswom Boards) Act, 2008.

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

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

(a) “Devaswom Board” means the Travancore Devaswom Board referred to in clause (a) of section 2 of the Travancore-Cochin Hindu Religious Institutions Act, 1950 (XV of 1950) or the Cochin Devaswom Board referred to in clause (1) of section 61 of the said Act ;

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

3. *Functions of the Public Service Commission in respect of administrative services under Devaswom Boards.*—(1) Notwithstanding anything contained in the Travancore-Cochin Hindu Religious Institutions Act, 1950 (XV of 1950), or in the rules made thereunder regarding the recruitment and conditions of service of officers and employees of the Devaswom Boards, it shall

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be the duty of the Public Service Commission to prepare select list of candidates belonging to Hindu Religion for appointment by direct recruitment, of all officers and employees in the Administrative Services of the Devaswom Boards.

(2) The Devaswom Board shall consult the Public Service Commission,—

(a) as respects matters relating to direct recruitment to the posts under the administrative services of the Devaswom Board;

(b) on the principles to be followed in making appointments by direct recruitment to the posts under the administrative services under the Devaswom Board and on the suitability of candidates for such appointments; and it shall be the duty of the Public Service Commission to advice on any matter so referred to them:

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 circumstances, it shall not be necessary for the Public Service Commission to be consulted.

(3) In the case of any difference of opinion between Public Service Commission and the Devaswom Board on any matter, the Devaswom Board 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 Public Service Commission.

4. *Power to make rules.*—(1) The Government may, in consultation with the Public Service Commission and the Devaswom Boards make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the forgoing power, such rules may provide for,—

(a) the procedure to be followed by the Devaswom Board 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.
