

Fifteenth Kerala Legislative Assembly

Bill No. 159

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

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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 (Act 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 (Act 19 of 1970), in clause (a), the words, figures and brackets “or The Kerala Agricultural Workers' Welfare Fund Board constituted under Section 11 of The Kerala Agricultural Workers' Act, 1974 (Act 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 (Act 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)" shall be inserted at the end, before the symbol “;”.

STATEMENT OF OBJECTS AND REASONS

It is the policy of the Government to conduct the appointments to Government-owned enterprises through Public Service Commission. The Government have decided to make the appointments of the Kerala Agricultural Workers' Welfare Fund Board constituted under Section 11 of The Kerala Agricultural Workers' Act, 1974 (Act 18 of 1974), 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), 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 (Act 24 of 2006) and the Kerala Abkari Workers' Welfare Fund Board constituted under Section 6 of The Kerala Abkari Workers' Welfare Fund Act, 1989 (19 of 1989) through Public Service Commission. In order to include the above said institutions under the purview of The Kerala Public Service Commission (Additional Functions as respects certain Corporations and Companies) Act, 1970, it is necessary to bring an amendment to the said Act.

2. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

PINARAYI VIJAYAN.

EXTRACT FROM THE KERALA PUBLIC SERVICE COMMISSION
(ADDITIONAL FUNCTIONS AS RESPECTS CERTAIN
CORPORATIONS AND COMPANIES) ACT, 1970
(ACT 19 OF 1970)

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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), or The Kerala Water Authority established under Section 3 of The Kerala Water Supply and Sewerage Act, 1986, 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 Section 4 of The Kerala Labour Welfare Fund Act, 1975 (11 of 1977) or The Kerala Non-Resident Keralites' Welfare Board constituted under Section 9 of The Non-Resident Keralites' Welfare Act, 2008 (10 of 2009);

(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 per cent 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 or a company mentioned in sub-clause (i).

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

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