

Published on 13-02-17

Fourteenth Kerala Legislative Assembly

Bill No. 38

**THE KERALA PUBLIC SERVICE COMMISSION
(ADDITIONAL FUNCTIONS AS RESPECTS CERTAIN
CORPORATIONS AND COMPANIES)
AMENDMENT BILL, 2017**

©

Kerala Legislature Secretariat
2017

KERALA NIYAMASABHA PRINTING PRESS.

Fourteenth Kerala Legislative Assembly

Bill No. 38

**THE KERALA PUBLIC SERVICE COMMISSION
(ADDITIONAL FUNCTIONS AS RESPECTS CERTAIN
CORPORATIONS AND COMPANIES)
AMENDMENT BILL, 2017**

THE KERALA PUBLIC SERVICE COMMISSION (ADDITIONAL
FUNCTIONS AS RESPECTS CERTAIN CORPORATIONS AND
COMPANIES) AMENDMENT BILL, 2017

A

BILL

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 for the purposes hereinafter appearing;

BE, it enacted in the Sixty-eighth 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, 2017.

(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), in clause (a), the words, figures and brackets “or the Kerala Coir Workers’ Welfare Fund Board constituted under section 6 of the Kerala Coir Workers’ Welfare Fund Act, 1987 (34 of 1987)” shall be added at the end.

STATEMENT OF OBJECTS AND REASONS

The Government have decided to make future appointment of staff in the Kerala Coir Workers’ Welfare Fund Board only on the advice of the Kerala Public Service Commission. In order to bring the appointment of staff in the Board under the purview of the Kerala Public Service Commission, it is necessary to entrust the function to the Kerala Public Service Commission by amending the Kerala Public Service Commission (Additional Functions as respects certain Corporations and Companies) Act, 1970.

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.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-clause (2) of clause 1 of the Bill seeks to empower the Government to appoint, by notification in the Gazette, the date on which the Act shall come into force.

The matters in respect of which rules may be made or notifications may be issued are matters of procedure and are of routine or administrative nature. Further, the rules, after they are made, are subject to scrutiny by the Legislative Assembly. The delegation of legislative power is thus, of a normal character.

DR. T. M. THOMAS ISAAC

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

(19 of 1970)

**

**

**

**

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);

(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.

**

**

**

**