



KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Personnel and Administrative Reforms (AR-XII) Department

NOTIFICATION

G. O. (P) No. 56/2012/P&ARD. Dated, Thiruvananthapuram, 27th October, 2012.

S. R. O. No. 751/2012.—In exercise of the powers conferred by sub-section (1) of section 11 of the Kerala State Right to Service Act, 2012 (18 of 2012), the Government of Kerala hereby make the following rules, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala State Right to Service Rules, 2012.

(2) They shall come into force at once.

2. *Definitions.*—(1) In these Rules, unless the context otherwise requires,—

- (a) “Act” means the Kerala State Right to Service Act, 2012 (18 of 2012);
- (b) “authorised officer” means an officer or staff authorised as such by the designated officer under rule 3.
- (c) “Form” means the Forms appended to these rules;
- (d) “Section” means a section of the Act.

(2) Words and expressions used, but not defined in these rules and defined in the Act, shall have the same meanings, respectively, assigned to them in the Act.

3. *Power of designated officer to authorise other officers to receive applications.*—The designated officer shall have the power to authorise, by order, any of his/her subordinate officer or staff for receiving the applications and giving proper acknowledgement.

4. *Issue of acknowledgement to the Applicant.*—On receipt of an application for service by an eligible person, the designated officer or the authorised officer, as the case may be, shall give acknowledgement to the applicant in Form No. I. In case any document required for providing the service has not been enclosed with the application, the same shall be clearly mentioned in the acknowledgement and the stipulated time limit for such service shall start from the date of production of the document.

5. *Public holidays shall be excluded from the stipulated time limit.*—Public holidays shall be excluded from the stipulated time limit for providing the services.

6. *Display of information on the Notice Board.*—The designated officer shall, for the convenience of general public, cause to display all relevant informations related to services, stipulated time limit, designated officer, first appellate authority and the second appellate authority on the Notice Board of the office. All documents that are required to be enclosed with the application for receiving the service and the Forms appended to these Rules shall also be displayed on the Notice Board.

7. *Recovery and remittance of fine.*—The fine imposed under section 8 shall be recovered from the salary, honorarium or other remuneration of the designated officer or of the first appellate authority, as the case may be, and remitted to the Head of Account “0070—other administrative services—60 other services—800 other receipts—27 Receipts under Kerala State Right to Service Act 2012” by the officer empowered to do so.

8. *Exemption from payment of appeal fee.*—No fee shall be levied for filing the first or second appeal under section 6.

9. *Appeal.*—(1) An appeal to the first appellate authority under sub-section (1) of section 6 may be filed in Form No. II or in any other format containing the particulars mentioned in the said Form.

(2) An appeal to the second appellate authority under sub-section (4) of section 6 may be filed in Form No. III or in any other format containing the particulars mentioned in the said Form.

10. *Documents to be enclosed with the appeal.*—Along with the first or second appeal, the appellant shall enclose the following documents, namely:—

- (i) List of documents enclosed with the first or second appeal.
- (ii) Self attested copy of the order against which the first or second appeal is being made.
- (iii) Copies of the documents relied upon by the appellant and referred to in the first or second appeal.

11. *Order in first or second appeal.*—(1) The order in the first or second appeal shall be in writing.

(2) Copy of the order in appeal shall be given to the appellant, designated officer or the first appellate authority, as the case may be.

(3) In the case of imposition of fine, the second appellate authority shall forward a copy of such order to the authority concerned, with instructions to deduct the amount of fine from the salary/honorarium/remuneration of the designated officer or of the first appellate authority, as the case may be.

(4) In the event of recommendation for disciplinary action against the designated officer or the first appellate authority, as the case may be, the second appellate authority shall forward a copy of the order to the appointing authority concerned.

(5) Where the second appellate authority makes any amendment in the order of the first appellate authority, then he/she shall forward a copy of such order to the first appellate authority and the designated officer and to the appellant.

12. *Maintenance of register of cases under the Act.*—The designated officer, the first appellate authority and the second appellate authority shall maintain Register of all the cases in Form No. IV.

FORM NO. I

[See Rule 4]

ACKNOWLEDGEMENT

From

.....

..... (The Designated Officer/Authorized Officer)

To

.....

..... (Name and address of the Applicant)

Sub.—The Kerala State Right to Service Act, 2012—Acknowledgement of application—Reg.

Ref.— Your application dated

I hereby acknowledge your application cited.

The following defects in the application may be rectified, urgently:

(Specify defects, if any)

(1)

(2)

Place:

Yours faithfully,

Date:

Designated Officer/Authorised Officer

(Office Seal)

FORM NO. II

[See Rule 9(1)]

FORM OF APPEAL TO THE FIRST APPELLATE AUTHORITY

Before the (Designation and office address of the
First Appellate Authority)

.....
..... (Name and address of the Applicant/Appellant)

.....
..... (Name and office address of Designated Officer/
Respondent)

- | | |
|--|---|
| 1. Date of application | : |
| 2. Date of acknowledgement | : |
| 3. Date of resubmission of the application
after rectifying the defects, if any | : |
| 4. Details of service required | : |
| 5. Decision of the designated officer | : |
| 6. Eligibility for the service | : |
| 7. Stipulated time limit | : |
| 8. Grievances | : |

List of documents enclosed

- (1)
- (2)

Declaration

The particulars given above are true and correct to the best of my
knowledge, information and belief.

Dated this theday of20.....(year)

Signature of the Applicant/Appellant

FORM NO. III

[See Rule 9(2)]

FORM OF APPEAL TO THE SECOND APPELLATE AUTHORITY

Before the(Designation and office address of the
Second Appellate Authority)

.....
..... (Name and address of the Applicant/Appellant)

.....
..... (Name and office address of the Designated Officer/
1st Respondent)

.....
..... (Name and office address of the 1st Appellate
Authority/2nd Respondent)

- | | |
|--|---|
| 1. Date of application | : |
| 2. Date of acknowledgement | : |
| 3. Details of service required | : |
| 4. Decision of the designated officer | : |
| 5. Decision of the 1st Appellate Authority | : |
| 6. Eligibility for the service | : |
| 7. Stipulated time limit | : |
| 8. Grievances | : |

List of documents enclosed

- (1)
- (2)

Declaration

The particulars given above are true and correct to the best of my knowledge, information and belief.

Dated this theday of20.....(year)

Signature of the Applicant/Appellant

FORM No. IV

[See Rule 12]

REGISTER OF CASES

A. To be maintained by the Designated Officer

Sl. No.	Date of receipt of application	Date of acknowledgement of the application	Name and address of the applicant	Nature of the service requested	Date on which application is disposed of. If rejected the reasons there of
(1)	(2)	(3)	(4)	(5)	(6)

B. To be maintained by the First Appellate Authority

Sl. No.	Date of receipt of first appeal	Date of acknowledgement of first appeal	Name and address of the applicant	Nature of the service requested	Date on which appeal is disposed of. Rejection of the appeal and its reasons	Details of fine, if any, imposed/collected
(1)	(2)	(3)	(4)	(5)	(6)	(7)

C. To be maintained by the Second Appellate Authority

Sl. No.	Date of receipt of Second appeal	Date of acknowledgement of Second appeal	Name and address of the applicant	Nature of the service requested	Date on which appeal is disposed of. Rejection of the appeal and its reasons	Details of fine, if any, imposed/collected
(1)	(2)	(3)	(4)	(5)	(6)	(7)

By order of the Governor,

T. J. MATHEW,
Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Section 11 of the Kerala State Right to Service Act, 2012 (18 of 2012), empowers the Government to make rules to carry out the provisions of this Act. Accordingly, the Government have decided to make the rules in this regard.

The notification is intended to achieve the above object.