

REPORT OF THE SUBJECT COMMITTEE
ON
THE KERALA STATE RIGHT TO SERVICE BILL, 2012
AND
THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

THE KERALA STATE RIGHT TO SERVICE BILL, 2012

(Report of the Subject Committee)

Subject Committee XIV—Home Affairs to which the Kerala State Right to Service Bill, 2012 was referred, considered the Bill clause by clause and now submits this report with the Bill as reported by the Committee annexed thereto.

2. The Kerala State Right to Service Bill, 2012 was published as Gazette Extraordinary dated June 15, 2012. The Bill was introduced in the Assembly on July 23, 2012 and was referred to the Committee on the same day.

3. The Committee considered the Bill clause by clause at its meeting held on July 23, 2012 and the Committee recommends to adopt the Bill without any modification.

4. The Minutes of dissent is appended.

OOMMEN CHANDY,
Chairman,
Subject Committee XIV.

MINUTES OF DISSENT

We record the following minutes of dissent to the Kerala State Right to Service Bill, 2012:

1. The failure on time bound delivery of basic needs of citizens like drinking water, food, accommodation, medical facilities, education, power, etc. tantamount to nullify the programme/project. The benefit of Five Year Plan/ Annual Plan should not be failed to disseminate to the target group owing to failure either of the employees or of the Government. The Government should also ensure that only those programmes are launched for which provision is made in the budget and can be spent during the year. Hollow declarations should be avoided. The Government and the employees have complementary responsibility to implement the programmes/schemes and they should fulfill their responsibilities. There is no enabling provision in this Bill to ensure the said goal.

2. This Bill is bestowing excessive powers to the executive for delegated legislation, rendering the Bill to the inoperative if the rule making process is delayed or omitted. That be so, time limits should have been prescribed for each item of such rule making.

3. Many departments of the Government have already issued Citizen Charters prescribing time limits for the various services rendered by them. These Charters will be rendered ineffective if no protection clause is incorporated in this Bill.

4. Long pendency of files before the Government Secretariat and various other offices is a curse of our State. The best opportunity to address this problem is being left unavailed, by not incorporating adequate stipulations thereto in this Bill.

KODIYERI BALAKRISHNAN, M.L.A. (Sd.)

C. DIVAKARAN, M.L.A. (Sd.)

MATHEW T. THOMAS, M.L.A. (Sd.)

K. SURESH KURUP, M.L.A. (Sd.)

THE KERALA STATE RIGHT TO SERVICE BILL, 2012

(As reported by the Subject Committee)

A

BILL

to provide for the delivery of services to the general public within the stipulated time limit and for matters connected therewith and incidental thereto.

Preamble.—WHEREAS, it is expedient to provide for the delivery of services to the general public within the stipulated time limit ;

BE it enacted in the Sixty-third Year of the Republic of India as follows :—

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

(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) “designated officer” means an officer designated as such under section 3 for providing the services as per the provisions of this Act;

(b) “eligible person” means a person who is eligible for the services notified under section 3;

(c) “first appellate authority” means an officer notified as such under section 3 ;

(d) “Government” means the Government of Kerala ;

(e) “prescribed” means prescribed by rules made under this Act ;

(f) “right to service” means the right of an eligible person to obtain a service within the stipulated time limit ;

(g) “service” means any service to be provided under the provisions of any law for the time being in force or as per Government orders issued from time to time, to the general public by or under any Department of the Government or by a Local Self Government Institution or by a State Public Sector Undertaking or by a Statutory Body, as may be notified under section 3;

(h) "second appellate authority" means an officer notified as such under section 3 ;

(i) "stipulated time limit" means the maximum time limit notified under section 3 to provide the service by the designated officer or to dispose of an application for such service;

3. *Power to notify services, stipulated time limit, designated officer etc.*—Save as otherwise provided in any other law for the time being in force, every Department of the Government, every head of Department, every Local Self Government Institution and every statutory body shall within six months of the commencement of this Act, notify in the Gazette the services that will be rendered by each of them, the designated officers the first appellate authority and the second appellate authority and the stipulated time limit for the purposes of this Act.

4. *Right to obtain services.*—Every eligible person shall have the right to obtain the services notified under section 3 within the stipulated time limit.

5. *Duty of the designated officer.*—(1) The designated officer shall on receipt of an application for service by an eligible person, without prejudice to the provisions of any law for the time being in force, provide the service or reject the application within the stipulated time limit. In case of rejection, he shall state the reasons for the same in writing and shall intimate it to the applicant forthwith.

(2) An application received under sub-section (1) shall be duly acknowledged by the designated officer or by the officer authorised by him to receive such application.

(3) The stipulated time limit shall start from the date on which the application is received.

6. *Appeal.*—(1) Any person, who does not receive the required service within the stipulated time or whose application is rejected under sub-section (1) of section 5, may file an appeal to the first appellate authority, within thirty days from the date of rejection of the application or on the expiry of the stipulated time limit, in such manner and on payment of such fee, as may be prescribed:

Provided that the first appellate authority may admit the appeal after the expiry of the period of thirty days if the authority is satisfied that the appellant had sufficient cause for not filing the appeal in time.

(2) The first appellate authority may direct the designated officer to provide the service within a specified period or may reject the appeal.

(3) An appeal under sub-section (1) shall be disposed of within a period equivalent to that of the stipulated time limit.

(4) Any person aggrieved by a decision of the first appellate authority may prefer an appeal to the second appellate authority within sixty days from the date of decision of the first appellate authority, in such manner and on payment of such fee, as may be prescribed :

Provided that the second appellate authority may admit the appeal after the expiry of the period of sixty days if that authority is satisfied that the appellant had sufficient cause for not filing the appeal in time.

(5) The second appellate authority may direct the designated officer to provide the service within a specified period or he may reject the appeal.

(6) Where the second appellate authority finds that there is no sufficient reason for not giving the service within the stipulated time limit he may, along with the direction to provide the service, impose penalty as provided in section 8.

(7) An appeal under sub-section (4) shall be disposed of within a period equivalent to that of the stipulated time limit.

(8) Where the designated officer does not comply with the direction given by the first appellate authority under sub-section (2) of this section, the person aggrieved by such non-compliance may file an application directly to the second appellate authority and such an application shall be disposed of in the same manner in which a second appeal is to be disposed of under this Act.

(9) Where the designated officer does not comply with the direction for providing the service under sub-section (5) of this section, then the person aggrieved by such non-compliance may file an application directly to the second appellate authority and such an application shall be disposed of in the same manner in which a second appeal is to be disposed of under this Act.

7. *Procedure to be followed in appeal.*—The first appellate authority and the second appellate authority, while deciding an appeal under this Act, shall have the same powers as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908 (Central Act 5 of 1908) in respect of the following matters, namely :—

- (a) requiring the production and inspection of documents ;
- (b) issuing summons for hearing the designated officer and the appellant; and
- (c) any other matter which may be prescribed.

8. *Penalty.*—(1) Where the second appellate authority finds that,—

(a) the designated officer has failed to provide the service without sufficient and reasonable cause, the second appellate authority may by an order in writing, stating the reasons, impose a fine on the designated officer which shall not be less than five hundred rupees and not more than five thousand rupees ;

(b) the designated officer has caused delay in providing the service, the second appellate authority may, by an order in writing, stating the reasons, impose a fine on the designated officer, at the rate of two hundred and fifty rupees per day for each day's delay the sum of which shall not exceed five thousand rupees :

Provided that the designated officer shall be given a reasonable opportunity of being heard before imposing such penalty.

(2) Where the second appellate authority finds that the first appellate authority has failed to decide the appeal within the time limit specified in sub-section (3) of section 6 without sufficient and reasonable cause, he may by an order in writing, stating the reasons, impose a penalty on the first appellate authority which shall not be less than five hundred rupees and not more than five thousand rupees :

Provided that the first appellate authority shall be given a reasonable opportunity of being heard before imposing such penalty.

(3) The second appellate authority may, if he is satisfied that the designated officer or the first appellate authority has without sufficient cause, failed to discharge the duties assigned to him under this Act recommend disciplinary action against him under the service rules applicable to him.

9. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against any person or officer for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.

10. *Bar of jurisdiction of Civil Courts.*—No civil court shall entertain any suit, application or other proceeding in respect of any order issued under this Act and no such order shall be called in question otherwise than by way of an appeal under this Act.

11. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules to carry out the provisions of this Act.

(2) 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.

12. *Power to remove difficulties.*—(1) Where any difficulty arises giving effect to the provisions of this Act, the Government may, by order published in the Gazette, as occasion may require, do anything, which are considered necessary for them and not inconsistent with the provisions of this Act or the rules made thereunder, for the purpose of removing such difficulty:

Provided that no such order shall be issued under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order issued under sub section (1) shall be laid before the Legislative Assembly as soon as may be after it is issued.

Secretariat of the Kerala Legislature,
Thiruvananthapuram,
23rd July, 2012.

P. K. MURALEEDHARAN,
Secretary-in-charge.



KERALA GAZETTE
കേരള ഗസറ്റ്
EXTRAORDINARY

അസാധാരണ

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

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GOVERNMENT OF KERALA

Power (C) Department

NOTIFICATION

G. O. (P) No. 48/2013/PD.

Dated, Thiruvananthapuram, 16th November, 2013.

S. R. O. No. 922/2013.—In exercise of the powers conferred by section 3 of the Kerala State Right to Service Act, 2012 (18 of 2012), the Government of Kerala have notified the services, rendered to the public, stipulated time limit, designated officer, first appellate authority and second appellate authority in the Department of Electrical Inspectorate, Kerala State Electricity Board and the Energy Management Centre, vide notification issued under G. O. (P) No. 14/2013/PD, dated 4th April, 2013 and published as S. R. O. No. 281/2013 in the Kerala Gazette Extraordinary No. 990 dated 4th April, 2013. Now, the Government of Kerala hereby make the following amendment to the said notification in respect of the details of the designated officers, first appellate authority and second appellate authority and documents to be attached with application in respect of the Department of Electrical Inspectorate, specified in the Schedule, namely:—

AMENDMENT

In the Schedule to the said notification for the heading "I DEPARTMENT OF ELECTRICAL INSPECTORATE" and the entries under it the following heading and entries shall be substituted, namely:—

SCHEDULE

NAME OF DEPARTMENT : DEPARTMENT OF ELECTRICAL INSPECTORATE

A : HEAD OFFICE OF DEPARTMENT OF ELECTRICAL INSPECTORATE

No.	Category of Services	Documents to be attached with application	Working Days	Designated Officer	First Appellate Authority	Second Appellate Authority
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Scrutiny, Approval and Inspection of Electrical Installations (i) Electrical Scheme Approval	(a) A covering letter. (b) Authorisation Letter from the client authorising the Electrical contractor to carry out the work, giving brief particulars of the scheme. (c) Electrical Schematic drawings. (d) Copy of the Electrical Contractors Licence. (e) Original chalan receipt for the remittance of the Scrutiny Fee remitted in a Government Treasury/Friends under the head of account : 0043-00-102. (f) Certificate of Soil Resistivity (Required for HT/EHT Installations). (g) Fault Level Calculation (Required for HT/EHT Installations) (h) Earthing Calculation (Required for HT/EHT Installations). (i) Bus Duct design (Required for Transformer and Generator of rating > .630 KVA). (j) A/C Calculation (Required only for Centralized AC Installations). (k) Pro forma and Checklist (available at Web site : www.ceikerala.gov.in).	20	Electrical Inspector.	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(i) a: Issue of Non conformity report					
	(i) b : Issue of Approval of Electrical Scheme if no non conformity					

	(i) c : Issue of Approval of Electrical Scheme in the case of (i) a, above	Compliance Report after rectifying defects.	15	Electrical Inspector	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(ii) Issue of Safety Certificate and Sanction for Energisation.					
	(ii) a : Issue of Non conformity report after the inspection (ii) b : Issue of Safety Certificate and Sanction for Energisation if no non conformity.	(a) Completion report of work (b) Original chalan receipt for the remittance of the Initial inspection Fee remitted in a Government Treasury/ Friends under the head of account : 0043-00-102.	10			
	(ii) c : Issue of Safety Certificate and Sanction for Energisation in the case of (ii)a, above.	Compliance Report after rectifying defects				
	(iii) Inspection and issue of Valuation Certificate for Electrical installations.	(a) Request for Valuation (b) Original chalan receipt for the remittance of the Initial inspection Fee remitted in a Government Treasury/ Friends under the head of account : 0043-00-102	30			
2.	Cinema Operator (i) : Issue of Fresh Licence of Cinema Operator	(a) Request Letter (b) Original Hall Tickets of Cinema Operator Written Examination and Practical Examination (c) True copy of certificate duly attested by a Gazetted Officer to prove Date of birth (d) Original chalan receipt for the remittance of the fee, ₹ 250, remitted in a Government Treasury/Friends under the head of account "0043-00-800-98". (e) Two passport size photographs attested by a Gazetted Officer (f) (on the back side, stating that this is the true photograph of Shri/Smt.....) (g) Two specimen signatures duly attested by a Gazetted Officer.	20			

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		(h) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)				
	(ii) Issue of licence in lieu of lapsed Cinema Operator licence	(a) Duly filled Application form for Cinema Operator Licence (b) Original Lapsed Cinema Operator Licence (c) Documents to be forwarded along with the application (d) Original chalan receipt for the remittance of the fee** ₹ 250 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-98". (e) Two passport size photographs attested by a Gazetted Officer (f) (on the back side, stating that this is the true photograph of Shri/Smt.....) (g) Two specimen signatures duly attested by a Gazetted Officer (h) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32).	20	Electrical Inspector	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(iii) Issue of duplicate Licence of Cinema Operator	(a) Duly filled Application form for Duplicate Cinema Operator Licence (b) Original chalan receipt for the remittance of the fee** ₹ 100 for Licence or ₹ 100 for certificate remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (c) Two passport size photographs attested by a Gazetted Officer (d) (on the back side, stating that this is the true photograph of Shri/Smt.....) (e) Two specimen signatures duly attested by a Gazetted Officer (f) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)	20			

		<p>(g) Certification by the applicant of the loss or damage, mutilation or defacement of the original Licence attested by a Gazetted Officer.</p> <p>(h) Copy of the prescribed notice published in the daily news paper approved by PRD.</p> <p>(i) Certificate from the Electrical Inspector/ Deputy Chief Electrical Inspector, District office with details of renewal of permit and Permit Valid up to date</p>				
3.	<p>Electrical Wireman</p> <p>(i) Issue of Electrical Wireman Permit and Competency Certificates under exempted category</p>	<p>(a) Duly filled Application form for Electrical Wireman Permit (Application form available at Website : www.ceikerala.gov.in)</p> <p>(b) True copy of certificates duly attested by a Gazetted Officer to prove Date of birth, Qualifications</p> <p>(c) True copy of Trade Certificate should be attested by a Gazetted Officer in the Department of Electrical Inspectorate</p> <p>(d) Original chalan receipt for the remittance of the fee, ₹ 1000 **, remitted in a Government Treasury/Friends under the head of account "0043-00-800-99".</p> <p>(e) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....)</p> <p>(f) Two specimen signatures duly attested by a Gazetted Officer.</p> <p>(g) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)</p>	30	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(ii) Issue of Electrical Wireman permit and Competency Certificates for successful candidate in written and practical examination	<p>(a) Request letter</p> <p>(b) Original Hall Tickets of Electrical Wireman Written Examination and Practical Examination</p>				

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		(c) True copy of certificate duly attested by a Gazetted Officer, to prove Date of birth (d) Original chalan receipt for the remittance of the fee, ₹ 500**, remitted in a Government Treasury/Friends under the head of account "0043-00-800-99" (e) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....) (f) Two specimen signatures duly attested by a Gazetted Officer. (g) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth Rs. 32)	40	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(iii) Issue of Electrical Wireman Permit in lieu of lapsed Permit	(a) Duly filled Application form for Electrical Wireman Permit (Application form available from Web site : ceikerala.gov.in) (b) Original Lapsed Electrical Wireman Permit (c) Original chalan receipt for the remittance of the fee** ₹ 700 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (d) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....) (e) Two specimen signatures duly attested by a Gazetted Officer. (f) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)	15			
	(iv) Issue of Duplicate Electrical Wireman	(a) Duly filled Application form for Duplicate Electrical Wireman permit (b) Original chalan receipt for the remittance of the fee** ₹ 300 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99".				

		<ul style="list-style-type: none"> (c) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....) (d) Two specimen signatures duly attested by a Gazetted Officer (e) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32) (f) Certification by the applicant of the loss or damage, mutilation or defacement of the original permit attested by a Gazetted Officer. (g) Copy of the prescribed notice published in the daily news paper approved by PRD (h) Certificate from the Electrical Inspector/ Deputy Chief Electrical Inspector, District office with details of renewal of licence 	15			
4.	Electrical Supervisor— B Grade (i) Issue of Electrical Supervisor— B Grade Permit and Competency Certificates under exempted category	<ul style="list-style-type: none"> (a) Request letter (b) The original chalan Receipt of remittance in a Govt. Treasury/Janasevanakendram for ₹ 1000 (Head of Account : 0043-00-800-99) (c) Two Copies of Passport size Photograph. (Attested by a Gazetted Officer only on the backside of the photo) (d) Two signatures of the applicant. (Attested by a Gazetted Officer) (e) Self Addressed Stamped envelop for ₹ 32 Envelope of size 20 cm x 14 cm 	20			
	(ii) Issue of Electrical Supervisor— B Grade permit and Competency Certificates for successful candidate in written and practical examination	<ul style="list-style-type: none"> (f) Request letter (g) Original Hall Tickets of Electrical Supervisor Written Examination and Practical Examination (h) True copy of certificate duly attested by a Gazetted Officer to prove Date of birth (i) Original chalan receipt for the remittance of the fee, ₹ 1000 **, remitted in a Government Treasury/Friends under the head of account " 0043-00-800-99" 				

Deputy Chief Electrical Inspector,
(Secretary, Kerala state Electricity Licensing Board)

Additional Chief Electrical Inspector

Chief Electrical Inspector

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		(j) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....) (k) Two specimen signatures duly attested by a Gazetted Officer (l) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32) (m) Original Electrical Wireman permit, Competency Certificate (n) Original Electrical Contractor C Class Licence	20	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(iii) Renewal of Electrical Supervisor— B Grade Permit	(a) Duly filled Application form for Renewal of Electrical Supervisor (b) Original Electrical Supervisor Permit (c) Documents to be forwarded along with the application (d) Original chalan receipt for the remittance of the fee** ₹ 500 + (Late fee : ₹ 250) remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (e) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)	20			
	(iv) Issue of Electrical Supervisor— B Grade Permit in lieu of lapsed Permit.	(a) Duly filled Application form for Electrical Supervisor (b) Original Lapsed Electrical Supervisor Permit (c) Original chalan receipt for the remittance of the fee** ₹ 1300 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99" (d) Two passport size photographs attested by a Gazetted Officer(on the back side; stating that this is the true photograph of Shri/Smt.....) (e) Two specimen signatures duly attested by a Gazetted Officer (f) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)	20			

5	(v) Issue of Duplicate Electrical Supervisor—B Grade	(a) Duly filled Application form for Duplicate Electrical Supervisor permit (b) Original chalan receipt for the remittance of the fee** ₹ 500 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (c) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....) (d) Two specimen signatures duly attested by a Gazetted Officer. (e) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32) (f) Certification by the applicant of the loss or damage, mutilation or defacement of the original permit attested by a Gazetted Officer. (g) Copy of the prescribed notice published in the daily news paper approved by PRD attested by a Gazetted Officer. (h) Attested copy of Competency Certificate	20	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	Electrical Supervisor—A Grade					
	(i) Issue of Electrical Supervisor—A Grade permit and Competency Certificate under exempted category—after the approval of Kerala State Electricity Licensing Board (ii) Renewal of Electrical Supervisor—A Grade Permit after renewal	(a) Request letter (b) The original Chalan Receipt of remittance in a Government Treasury/Janasevanakendram for ₹ 2000 (Head of Account : 0043-00-800-99) (c) Two Copies of Passport size Photograph. (Attested by a Gazetted Officer only on the backside of the photo) (d) Two signatures of the applicant. (Attested by a Gazetted Officer) (e) Self Addressed Stamped envelope for ₹ 32. Envelope of size 20 cm x 14 cm (a) Duly filled Application form for Renewal of Electrical Supervisor (b) Original Electrical Supervisor Permit (c) Documents to be forwarded along with the application	30			

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		(d) Original chalan receipt for the remittance of the fee** Rs.1,000 (Late fee : ₹ 500) remitted in a Govt Treasury or in Friends under the head of account "0043-00-800-99". (e) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)	20	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(iii) Issue of Electrical Supervisor—A Grade Permit in lieu of lapsed Permit	(a) Duly filled Application form for Electrical Supervisor (b) Original Lapsed Electrical Supervisor Permit (c) Original chalan receipt for the remittance of the fee** ₹ 2,500 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (d) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.) (e) Two specimen signatures duly attested by a Gazetted Officer. (f) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)	30			
	(iv) Issue of Duplicate Electrical Supervisor—A Grade Permit	(a) Duly filled Application form for Duplicate Electrical Supervisor permit (b) Original chalan receipt for the remittance of the fee** ₹ 1,000 remitted in a Government Treasury or in Friend under the head of account "0043-00-800-99". (c) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....) (d) Two specimen signatures duly attested by a Gazetted Officer. (e) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)	20			

		<p>(f) Certification by the applicant of the loss or damage, mutilation or defacement of the original permit attested by a Gazetted Officer.</p> <p>(g) Copy of the prescribed notice published in the daily news paper approved by PRD.</p>				
6	<p>Electrical Contractor—Class 'A'</p> <p>(i) Issue of Electrical Contractor—Class 'A' Fresh Licence after the approval of Kerala State Electricity Licensing Board</p>	<p>(a) Duly filled Application form for Electrical Contractor Class A Licence (Application form available from Web site : www.ceikerala.gov.in)</p> <p>(b) Original chalan receipt for the remittance of the fee** remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99".</p> <p>(c) Original Test and Calibration Certificates of Instruments (validity does not exceed six months)</p> <p>(d) Verification Certificate of Tools (validity does not exceed six months)</p> <p>(e) Declaration of Wireman/Supervisor (attested by the officer from District Office of the Department of Electrical Inspectorate)</p> <p>(f) Original Electrical Wireman/Supervisor permit (for the enrollment of Wireman/Supervisor)</p> <p>(g) Bank Guarantee for ₹ 10,000 and ₹ 25,000 for HT and EHT installations respectively (for minimum period of 3 years)</p> <p>(h) Self addressed and stamped envelope of A4 size (Stamps worth ₹ 80)</p> <p>(i) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....)</p> <p>(j) Two specimen signatures duly attested by a Gazetted Officer.</p>	30	<p>Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)</p>	<p>Additional Chief Electrical Inspector</p>	<p>Chief Electrical Inspector</p>

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		(k) Certificate of ownership/undertaking of workshop (fabricating unit)/Office (l) A List containing the data of the Electrical Installation works undertaken successfully and Hard Copies of the Letter of Approval of Electrical scheme (m) Approved drawings, Letter of Sanction for Energisation of installations		Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(ii) Renewal—Electrical Contractor—Class 'A' Licence	(a) Duly filled Application form for renewal of Electrical Contractor Class A Licence (b) Original Electrical Contractor Class A Licence (c) Original chalan receipt for the remittance of the fee** ₹ 5,000 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99" (d) Original Test/Calibration Certificates of Instruments (validity does not exceed six months) (e) Verification Certificate of Tools (validity does not exceed six months) (f) Declaration of Wireman/Supervisor (attested from District Office of the Department of Electrical Inspectorate) (g) Original chalan receipt for the remittance of the fee** ₹ 200 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99" for the new enrollment of Wireman/Supervisor (**per Wireman/Supervisor) (h) Original Electrical Wireman/Supervisor permit (for the new enrollment of Wireman/Supervisor) (i) Bank Guarantee for ₹ 10,000 and ₹ 25,000 for HT and EHT installations respectively (j) Self addressed and stamped envelope of A4 size (Stamps worth ₹ 80)	20			
	(iii) Issue of licence in lieu of lapsed Electrical Contractor Class 'A' Licence	(a) Duly filled Application form for Electrical Contractor Class A Licence (Application form available from Website : www.ceikerala.gov.in)				

		<ul style="list-style-type: none"> (b) Original Electrical Contractor Class A Licence Original chalan receipt for the remittance of the fee** ₹ 7,000 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (d) Original Test/Calibration Certificates of Instruments (validity does not exceed six months) (e) Verification Certificate of Tools (validity does not exceed six months) (f) Declaration of Wireman/Supervisor (attested from District Office of the Department of Electrical Inspectorate) (g) Bank Guarantee for ₹ 10,000 and ₹ 25,000 for HT and EHT installations respectively (h) Self addressed and stamped envelope of A4 size (Stamps worth ₹ 80) 	20	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(iv) Issue of duplicate Electrical Contractor Class 'A' Licence	<ul style="list-style-type: none"> (a) Duly filled Application form for the duplicate Electrical Contractor Class A Licence (b) Original chalan receipt for the remittance of the fee** ₹ 2,000 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (c) Original Test and Calibration certificates of Instruments (validity does not exceed 6 months) (d) Verification Certificate of Tools (validity does not exceed six months) (e) Declaration of Wireman/Supervisor (attested from District Office of the Department of Electrical Inspectorate) (f) Original chalan receipt for the remittance of the fee** ₹ 200 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99" for the new enrollment of Wireman/Supervisor (g) Original Electrical Wireman/Supervisor permit (for the new enrollment of Wireman/Supervisor) (h) Bank Guarantee for ₹ 10,000 and ₹ 25,000 for HT and EHT installations respectively 	30			

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		<ul style="list-style-type: none"> (i) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 62) (j) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....) (k) Two specimen signatures duly attested by a Gazetted Officer. (l) Certification by the applicant of the loss or damage, mutilation or defacement of the original permit attested by a Gazetted Officer. (m) Copy of the prescribed notice published in the daily news paper approved by PRD. 				
7	Electrical Contractor—Class 'B' (i) Issue of Fresh Electrical Contractor—Class 'B' Licence	<ul style="list-style-type: none"> (a) Duly filled Application form for Electrical Contractor Class B Licence (b) Original chalan receipt for the remittance of the fee** remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99" (c) Original Test and Calibration Certificates of Instruments (validity does not exceed 6 months) (d) Verification Certificate of Tools (validity does not exceed six months) (e) Declaration of Wireman/Supervisor (attested by the officer from the Department of Electrical Inspectorate) (f) Original Electrical Wireman/Supervisor permit (for the enrollment of Wireman/Supervisor) (g) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 62) (h) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....) (i) Two specimen signatures duly attested by a Gazetted Officer 	20	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector

		(j) Inspection reports from the Electrical Inspector/ Deputy Chief Electrical Inspector regarding the facilities provided (for scope of all LV/MV installation up to 250 kW and generator up to 250kVA in prescribed format is necessary.)		Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(ii) Renewal of Electrical Contractor— Class 'B' Licence	(a) Duly filled Application form for renewal of Electrical Contractor Class B Licence (b) Original Electrical Contractor Class B Licence (c) Original chalan receipt for the remittance of the fee** ₹ 2,000 (Late fee : ₹ 500) remitted in a Govt Treasury or in Friends under the head of account "0043-00-800-99". (d) Original Test and Calibration certificates of Instruments (validity does not exceed 6 months) (e) Verification Certificate of Tools (validity does not exceed six months) (f) Declaration of Wireman/Supervisor (attested by the officer from District Office of the Department of Electrical Inspectorate) (g) Original chalan receipt for the remittance of the fee** ₹ 200 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99" for the new enrollment of Wireman/Supervisor (per Wireman/Supervisor) (h) Original Electrical Wireman/Supervisor permit (for the new enrollment of Wireman/Supervisor) (i) Self addressed and stamped envelope of A4 size (Stamps worth ₹ 80:)	25			
	(iii) For the issue of 1 Electrical Contractor—Class 'B' Licence in lieu of lapsed Licence	(a) Duly filled Application form* for Electrical Contractor Class B Licence (Application form available from Website : ceikerala.gov.in) (b) Original Electrical Contractor Class B Licence (c) Original chalan receipt for the remittance of the fee** ₹ 3,500 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99".				

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		(d) Original Test and Calibration certificates of Instruments (validity does not exceed 6 months) (e) Verification Certificate of Tools (validity does not exceed six months) (f) Declaration of Wireman/Supervisor (attested by the officer from District Office of the Department of Electrical Inspectorate) (g) Self addressed and stamped envelope of A4 size (Stamps worth ₹ 80.)	20			
	(iv) For the issue of duplicate Electrical Contractor Class 'B'	(a) Duly filled Application form for the duplicate Electrical Contractor Class B Licence (Application form available from Website : www.ceikerala.gov.in) (b) Original chalan receipt for the remittance of the fee** ₹ 1,000 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (c) Original Test and Calibration certificates of Instruments (validity does not exceed six months) (d) Verification Certificate of Tools (validity does not exceed six months) (e) Declaration of Wireman/Supervisor (attested from District Office of the Department of Electrical Inspectorate) (f) Original chalan receipt for the remittance of the fee** ₹ 200 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99" for the new enrollment of Wireman/Supervisor (g) Original Electrical Wireman/Supervisor permit (for the new enrollment of Wireman/Supervisor) (h) Bank Guarantee for ₹ 10,000 and ₹ 25,000 for HT and EHT installations respectively (i) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 62)	20	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector

		<ul style="list-style-type: none"> (j) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....) (k) Two specimen signatures duly attested by a Gazetted Officer. (l) Certification by the applicant of the loss or damage, mutilation or defacement of the original permit attested by a Gazetted Officer. (m) Copy of the prescribed notice published in the daily news paper approved by PRD. 				
8	Electrical Contractor—Class 'C' (i) Issue of Fresh Electrical Contractor—Class 'C' licence	(Electrical Contractor Class C* Licence issued on the Report from Electrical Inspector/Deputy Chief Electrical Inspector) <ul style="list-style-type: none"> (a) Original chalan receipt for the remittance of the fee ₹ 800 (fee for issue of Contractor Licence) remitted in a Govt. Treasury or in Friends (head of account "0043-00-800-99") (b) Original Test certificates of Instruments ** Verification Certificate of Tools (validity does not exceed six months) (c) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 62) (d) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shri/Smt.....) (e) Two specimen signatures duly attested by a Gazetted Officer (f) Original Electrical Wireman Permit. 	20	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(ii) Issue of Electrical Contractor Class 'C' licence in lieu of lapsed Licence	<ul style="list-style-type: none"> (a) Duly filled Application form for Electrical Contractor Class C Licence (Application form available from Website : ceikerala.gov.in) (b) Original Electrical Contractor Class C Licence 				

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		(c) Original chalan receipt for the remittance of the fee** ₹ 700 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (d) Original Test and Calibration certificates of Instruments (validity does not exceed six months) (e) Verification Certificate of Tools (validity does not exceed six months) (f) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32) (g) Original Electrical Wireman Permit.	15	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(iii) Issue of duplicate Electrical Contractor Class 'C' Licence	(a) Duly filled Application form for the duplicate Electrical Contractor Class C Licence (b) Original chalan receipt for the remittance of the fee** ₹ 800 remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (c) Original Test and Calibration certificates of Instruments (validity does not exceed six months) (d) Verification Certificate of Tools (validity does not exceed six months) (e) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32) (f) Certification by the applicant of the loss or damage, mutilation or defacement of the original permit attested by a Gazetted Officer. (g) Copy of the prescribed notice published in the daily news paper approved by PRD attested by a Gazetted Officer. (h) Original Electrical Wireman Permit (i) Two passport size photographs attested by a Gazetted Officer (on the back side, stating that this is the true photograph of Shr /Smt.....) (j) Two specimen signatures duly attested by a Gazetted Officer. (k) Certificate from the Electrical Inspector/Dy. Chief Electrical Inspector, District office with details of renewal of licence	15			

9	Other services—Kerala State Electricity Licensing Board (i) For the issue permit (under exempted category) after scope modification of Electrical Supervisors Grade A and B	(a) Request letter (b) The original Chalan Receipt of remittance in a Govt. Treasury/Janasevanakendram for ₹ 500 for Electrical Supervisors Grade B, ₹ 1,000 for Electrical Supervisors Grade B (Head of Account : 0043-00-800-99) (c) Two Copies of Passport size Photograph. (Attested by a Gazetted Officer only on the backside of the photo) (d) Two signatures of the applicant (Attested by a Gazetted Officer) (e) Self Addressed Stamped envelop for ₹ 32 Envelope of size 20 cm x 14 cm (f) Original Permit and Competency Certificate.	30	Deputy Chief Electrical Inspector (Secretary, Kerala State Electricity Licensing Board)	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(ii) For Additional Staff enrolment under Electrical Contractor (Wireman/Supervisor)	(a) Request letter (b) Declaration of Wireman/Supervisor (attested by the officer from District Office of the Department of Electrical Inspectorate) (c) Original chalan receipt for the remittance of the fee** ₹ 200 remitted in a Government Treasury or in Friends under the head of account "004-00-800-99" for the new enrollment of Wireman/Supervisor (per Wireman/Supervisor) (d) Original Electrical Wireman/Supervisor permit (for the new enrollment of Wireman/Supervisor) (e) Original Electrical Contrator Licence	10			
	(iii) For the issue of recognition/ renewal of Institute for Electrical Wireman and Electrical Supervisor	(a) Duly filled Application form for the recognition of Electrical Wireman/Electrical Supervisor conducting Institution (b) Details of technical staff (c) Original chalan receipt for the remittance of the fee** ₹ 5,000 remitted in a Govt Treasury or in Friends under the head of account "0043-00-800-99". (d) Test certificates of instruments	20			

*Application Forms and Fee details are available in Department Website : www.ceikerala.gov.in

NAME OF DEPARTMENT : DEPARTMENT OF ELECTRICAL INSPECTORATE

B. DISTRICT LEVEL OFFICES OF DEPARTMENT OF ELECTRICAL INSPECTORATE

<i>No.</i>	<i>Category of Services</i>	<i>Documents to be attached with Application</i>	<i>Working Days</i>	<i>Designated Officer</i>	<i>First Appellate Authority</i>	<i>Second Appellate Authority</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Scrutiny, Approval and Inspection of Electrical Installations					
	(i) Electrical Scheme Approval	(a) A covering letter (b) Authorisation Letter from the client authorising the Electrical contractor to carry out the work, giving brief particulars of the scheme				
	(i)a. Issue of Non conformity report	(c) Electrical Schematic drawings (d) Copy of the Electrical contractors Licence (e) Original chalan receipt for the remittance of the Scrutiny Fee remitted in a Government Treasury/ Friends under the head of account : "0043-00-102" (f) Certificate of Soil Resistivity (Required for HT/EHT Installations) (g) Fault Level Calculation (Required for HT/EHT Installations)	15	Deputy Chief Electrical Inspector @/ Electrical Inspector of the Concerned District	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(i)b. Issue of Approval of Electrical Scheme if no non conformity	(h) Earthing Calculation (Required for HT/EHT Installations) (i) Bus Duct design (Required for Transformer and Generator of rating > 630 kVA) (j) A/C Calculation (Required only for Centralized AC Installations) (k) Pro forma and Checklist (available at Website : www.ceikerala.gov.in)				
	(i)c. Issue of Approval of Electrical Scheme in the case of (i) a, above	Compliance Report after rectifying defects,	10			

2	(ii) Issue of Safety Certificate and Sanction for Energisation. (ii)a. Issue of Non conformity Report after the inspection (ii)b. Issue of Safety Certificate and Sanction for Energisation if no non conformity (ii)c. Issue of Safety Certificate and Sanction for Energisation in the case of (ii) a, above	(a) Completion report of work (b) Original chalan receipt for the remittance of the Initial inspection Fee remitted in a Government Treasury/Friends under the head of account : "0043-00-102" Compliance Report after rectifying defects	10	Deputy Chief Electrical Inspector @/ Electrical Inspector of the Concerned District	Additional Chief Electrical Inspector	Chief Electrical Inspector
3	(iii) Inspection and issue of Valuation Certificate for Electrical installations	(a) Request for Valuation (b) Original chalan receipt for the remittance of the Initial inspection Fee remitted in a Government Treasury/Friends under the head of account "0043-00-102"	30			
4	Issue Certificate under Regulation 62 of CEA (MS&ES) Regulation 2010	(a) Request letter (b) Submission of Site plan of proposed building (with Plan and Elevation) Showing nearby Power lines and its clearance duly approved by the Supplier (c) Original chalan receipt for the remittance of the fee ₹ 1000 (₹ 100 for SC/ST category or BPL) remitted in a Government Treasury or in Friends under the head of account "0043-00-102"	15			
5	Issue of Soil Resistivity Measurement Certificate	(a) Request letter for Soil resistivity measurement at the site of the proposed Electrical installation (b) Original chalan receipt for the remittance of the fee ₹ 1000 remitted in a Government Treasury or in Friends under the head of account : "0043-00-102"	15			
6	Issue of Safety Certificate for Cable TV Network	(a) Request letter for Safety Certificate for Cable TV Network (b) Attested copy of Allocation order of electric poles for drawing Cable TV network from licensee				

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		(c) Map showing area of distribution of Cable TV and location of electric poles (d) Attested copy of registration certificate for Department of post (e) Original chalan receipt for the remittance of the inspection fee (₹ 5 per pole) remitted in a Government Treasury/Friends under the head of account: "0043-00-102"	15	Deputy Chief Electrical Inspector @/ Electrical Inspector of the Concerned District	Additional Chief Electrical Inspector	Chief Electrical Inspector
7	Inspection and issue of Valuation Certificate for Electrical installations	(a) Request letter for Valuation (b) Original chalan receipt for the remittance of the inspection fee remitted in a Government Treasury/Friends under the head of account : "0043-00-102"	30			
8	*Electrical Wireman Renewal of Electrical Wireman Permit	(a) Duly filled application form for renewal of Electrical Wireman Permit (b) Original Electrical Wireman Permit (c) Original chalan receipt for the remittance of the fee** ₹ 300 (5 years) ₹ 500 (10 years)+ (Late fee : ₹ 200) remitted in a Government Treasury or in Friends under the head of account: "0043-00-800-99" (d) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)	7			
9	*Electrical Contractor—Class 'C' Renewal of Electrical Contractor—Class 'C' Licence	(a) Duly filled application form for renewal of Electrical Contractor Class C Licence (b) Original Electrical Contractor Class C Licence (c) Original chalan receipt for the remittance of the fee** ₹ 500 (Late fee : ₹ 200) remitted in a Government Treasury or in Friends under the head of account : "0043-00-800-99" (d) Original Test and Calibration Certificates of Instruments (validity does not exceed 6 months) (e) Verification Certificate of tools (validity does not exceed six months)	15			

		(f) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32) (g) Attested Copy of Electrical Wireman Permit				
10	*Other services—Kerala State Electricity Licensing Board For Recommending the issue of C—Class Electrical Contractor after conducting interview (to KSELB)	(a) Duly filled application form for Electrical Contractor Class C Licence (b) Original chalan receipt for the remittance of the fee ₹ 400 remitted in a Government Treasury or in Friends (Head of account "0043-00-800-99") (c) Copy of the Experience Certificate attested by a Gazetted Officer (d) Copy of Electrical Wireman Permit attested by a Gazetted Officer (e) Self addressed and stamped envelope of size 10 cm x 24 cm (Stamps worth ₹ 5) (f) Applicant is requested to appear an Interview	7	Deputy Chief Electrical Inspector @/ Electrical Inspector of the Concerned District	Additional Chief Electrical Inspector	Chief Electrical Inspector
11	*Cinema Operator Renewal—Cinema Operator Licence	(a) Duly filled application form for renewal of Cinema Operator Licence (b) Original Cinema Operator Licence (c) Documents to be forwarded along with the application (d) Original chalan receipt for the remittance of the fee ₹ 150 + (Late fee ₹ 50 per month) remitted in a Government Treasury or in Friends under the head of account "0043-00-800-98". (e) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)	7			

@—At District Office of the Deputy Chief Electrical Inspector, Ernakulam, Trivandrum, Kozhikode.

—Application Forms and Fee details are available in Department Website : www.ceikerala.gov.in

NAME OF DEPARTMENT : DEPARTMENT OF ELECTRICAL INSPECTORATE

C. DISTRICT OFFICE OF DEPARTMENT OF ELECTRICAL INSPECTORATE, ERNAKULAM

<i>No.</i>	<i>Category of Services</i>	<i>Documents to be attached with application</i>	<i>Working Days</i>	<i>Designated Officer</i>	<i>First Appellate Authority</i>	<i>Second Appellate Authority</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Scrutiny, Approval and Inspection of Electrical Installations (i) Electrical Scheme Approval	(a) A covering letter (b) Authorisation Letter from the client authorising the Electrical contractor to carry out the work, giving brief particulars of the scheme	20	Deputy Chief Electrical Inspector	Additional Chief Electrical Inspector	Chief Electrical Inspector
	(i) a. Issue of Non conformity Report	(c) Electrical Schematic drawings (d) Copy of the Electrical Contractors Licence (e) Original chalan receipt for the remittance of the Scrutiny Fee remitted in a Government Treasury/Friends under the head of account: "0043-00-102"				
	(i) b. Issue of Approval of Electrical Scheme if no non conformity	(f) Certificate of Soil Resistivity (Required for HT/EHT Installations) (g) Fault Level Calculation (Required for HT/EHT Installations) (h) Earthing Calculation (Required for HT/EHT Installations) (i) Bus Duct Design (Required for Transformer and Generator of rating > 630 kVA) (j) A/C Calculation (Required only for Centralized A/C Installations) (k) Pro forma and Checklist (available at Website : www.ceikerala.gov.in)				

	(i)c Issue of Approval of Electrical Scheme in the case of (i) a, above	Compliance Report after rectifying defects	15	Deputy Chief Electrical Inspector	Additional Chief Electrical Inspector	Chief Electrical Inspector
2	(ii) Issue of Safety Certificate and Sanction for Energisation (ii)a Issue of Non conformity report after the inspection (ii)b Issue of Safety Certificate and Sanction for Energisation if no non conformity (ii)c Issue of Safety Certificate and Sanction for Energisation in the case of (ii) a, above	(a) Completion report of work (b) Original chalan receipt for the remittance of the Initial inspection fee remitted in a Government Treasury/Friends under the head of account : "0043-00-102" Compliance Report after rectifying defects	10			
3	(iii) Inspection and issue of Valuation Certificate for Electrical installations	(a) Request for Valuation (b) Original chalan receipt for the remittance of the Initial inspection Fee remitted in a Government Treasury/Friends under the head of account : "0043-00-102"	30			
4	Issue Certificate under regulation 62 of CEA (MS&ES) Regulation, 2010	(a) Request letter (b) Submission of site plan of proposed building (with Plan and Elevation) Showing nearby Power lines and its clearance duly approved by the supplier (c) Original chalan receipt for the remittance of the fee ₹ 1000 (₹ 100 for SC/ST category or BPL) remitted in a Government Treasury or in Friends under the head of account : "0043-00-102"	15			
5	Issue of Soil Resistivity Measurement Certificate	(a) Request letter for Soil resistivity measurement at the site of the proposed Electrical installation (b) Original chalan receipt for the remittance of the fee ₹ 1000 remitted in a Government Treasury or in Friends under the head of account : "0043-00-102"	15			

(1)	(2)	(3)	(4)	(5)	(6)	(7)
6	Issue of Safety certificate for Cable TV Network	(a) Request letter for Safety Certificate for Cable TV Network (b) Attested copy of Allocation order of electric poles for drawing Cable TV network from licensee (c) Map showing area of distribution of Cable TV and location of electric poles (d) Attested copy of registration certificate for Department of Post (e) Original chalan receipt for the remittance of the inspection Fee (₹ 5 per pole) remitted in a Government Treasury/Friends under the head of account : "0043-00-102"	15	Deputy Chief Electrical Inspector	Additional Chief Electrical Inspector	Chief Electrical Inspector
7	Inspection and issue of Valuation Certificate for Electrical installations	(a) Request letter for Valuation (b) Original chalan receipt for the remittance of the inspection fee remitted in a Government Treasury/Friends under the head of account : "0043-00-102"	30			
8	*Electrical Wireman Renewal of Electrical Wireman permit	(a) Duly filled application form for renewal of Electrical Wireman Permit (b) Original Electrical Wireman Permit (c) Original chalan receipt for the remittance of the fee** ₹ 300 (5 years) ₹ 500 (10 years) + (Late fee : ₹ 200) remitted in a Government Treasury or in Friends under the head of account "0043-00-800-99". (d) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)	7			
9	*Electrical Contractor—Class 'C' Renewal of Electrical Contractor—Class 'C' Licence	(a) Duly filled application form for renewal of Electrical Contractor Class C Licence				

		<ul style="list-style-type: none"> (b) Original Electrical Contactor Class C Licence (c) Original chalan receipt for the remittance of the fee** ₹ 500 (Late fee : ₹ 200) remitted in a Government Treasury or in Friends under the head of account : "0043-00-800-99" (d) Original Test and Calibration Certificates of Instruments (validity does not exceed 6 months) (e) Verification Certificate of tools (validity does not exceed six months) (f) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32) (g) Attested Copy of Electrical Wireman Permit 	15			
10	<p>*Other services—Kerala State Electricity Licensing Board</p> <p>For Recommending the issue of 'C'-Class Electrical Contractor after conducting interview (to KSEB)</p>	<ul style="list-style-type: none"> (a) Duly filled application form for Electrical Contractor Class C Licence (b) Original chalan receipt for the remittance of the fee ₹ 400 (Application Fee : ₹ 200 + Scrutiny fee : ₹ 200) remitted in a Government Treasury or in Friends (Head of account "0043-00-800-99"). (c) Copy of the Experience Certificate attested by a Gazetted Officer (d) Copy of Electrical Wireman Permit attested by a Gazetted Officer (e) Self addressed and stamped envelope of size 10 cm x 24 cm (Stamps worth ₹ 5) (f) Applicant is requested to appear an Interview 	7	Deputy Chief Electrical Inspector	Additional Chief Electrical Inspector	Chief Electrical Inspector

(1)	(2)	(3)	(4)	(5)	(6)	(7)
11	* Cinema Operator Renewal—Cinema Operator Licence	<p>(a) Duly filled Application form for Renewal of Cinema Operator Licence (Application form available from Website : ceikerala.gov.in)</p> <p>(b) Original Cinema Operator Licence</p> <p>(c) Documents to be forwarded along with the application</p> <p>(d) Original chalan receipt for the remittance of the fee ₹ 150 + (Late fee ₹ 50 per month) remitted in a Government Treasury or in Friends under the head of account "0043-00-800-98".</p> <p>(e) Self addressed and stamped envelope of size 20 cm x 14 cm (Stamps worth ₹ 32)</p>	7	Deputy Chief Electrical Inspector	Additional Chief Electrical Inspector	Chief Electrical Inspector

* Application Forms and Fee details are available in Department Website : www.ceikerala.gov.in

By order of the Governor,

DR. NIVEDITA P. HARAN,

Additional Chief Secretary to Government.

Explanatory Note

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

As per notification issued under G. O. (P) No. 14/2013/PD dated 4th April, 2013 and published as S. R. O. No. 281/2013 in the Kerala Gazette Extraordinary No. 990 dated 4th April, 2013, the Government have notified the services rendered to the public and the details of the designated officers, stipulated time limit, first appellate authority and second appellate authority in respect of the Department of Electrical Inspectorate, Kerala State Electricity Board and the Energy Management Centre, in exercise of the powers conferred by section 3 of the Kerala State Right to Service Act, 2012 (18 of 2012).

In the said notification the designated officers, first appellate authority and second appellate authority of the Department of Electrical Inspectorate differ from that of the notification issued by the Department of Electrical Inspectorate, as E2-18672/2011/CEI dated 31st January, 2013 in the Kerala Gazette No. 8 dated 19th February, 2013. An Additional column viz. 'documents to be attached with application' was also included in the notification issued by the Department of Electrical Inspectorate. Therefore the Government have decided to amend the said notification suitably, incorporating the changes and the additional column in the notification issued by the Department of Electrical Inspectorate.

The notification is intended to achieve the above object.

പതിമൂന്നാം കേരള നിയമസഭ

അഞ്ചാം സമ്മേളനം

സബ്ജക്ട് കമ്മിറ്റി റിപ്പോർട്ട് ചെയ്ത പ്രകാരമുള്ള

2012-ലെ കേരള സംസ്ഥാന സേവനാവകാശ

ബില്ലിനുള്ള ഭേദഗതി നോട്ടീസ്

ശീർഷകം

Shri T. N. Prathapan :

109. In the title, the word 'STATE' shall be deleted.

Shri T. N. Prathapan :

110. In the title after the word 'TO' the word 'PUBLIC' shall be inserted.

Shri E. P. Jayarajan :

111. Title shall be recast as follows :

"THE KERALA STATE PUBLIC SERVICE GUARANTEE BILL, 2012".

Shri K. Suresh Kurup :

112. Title shall be recast as follows :

"THE KERALA STATE GUARANTEE OF SERVICE BILL, 2012".

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Shri C. P. Mohammed :

113. In the long title for the words, "the delivery of " substitute the word 'guaranteeing'.

Shri K. Suresh Kurup :

114. In the long title substitute the word "Guarantee" for the word "Delivery".

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Shri Palode Ravi :

115. In the preamble, for the words 'the delivery' substitute the word 'obtaining'.

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Shri Palode Ravi :

116. In clause 1 (1), insert the word "guarantee" in between the words "service" and "Act".

Shri T. N. Prathapan :

117. In clause 1 (1), for the words "Kerala State Right to Service Act, 2012" the words "Kerala Right to Public Service Act, 2012" shall be substituted.

Shri E. P. Jayarajan :

118. In clause 1 (1) for the words "Kerala State Right to Service Act" the words "Kerala State Public Service Guarantee Act" shall be substituted.

Shri P. K. Basheer :

119. In clause 1 (2) after the words "into force" the words and figures "on the 1st of January 2013" shall be inserted.

Shri M. P. Abdussamad Samadani :

120. In clause 1 (2) after the words "into force" the words "on the expiry of one hundred and eighty days of its passing" shall be added.

Shri Therambil Ramakrishnan :

121. In clause 1 (2) insert the word "Government" between the words "The" and "Gazette".

Shri K. Suresh Kurup :

122. Clause 1 (2) shall be recast as follows :
 "(2) It shall come into force at once".

Shri Dominic Presentation:

123. Clause 1 (2) shall be recast as follows :
 "(2) It shall come into force at once".

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Shri Mathew T. Thomas:

124. In clause 2(a), the words "as such" shall be substituted by the words "by the Government".

Shri K. N. A. Khader:

125. In clause 2(b) for the words "is eligible for" the word "require" shall be substituted.

Shri Palode Ravi:

126. Clause 2(b) shall be recast as follows:

"applicant for service" means "a person who is an applicant for services notified under section 3."

Shri Benny Behanan:

127. In clause 2(c) delete the word "first".

Shri Benny Behanan:

128. After clause 2(d), add the following:

"(da) Notifications means a notification in the gazette".

Shri T. N. Prathapan:

129. In clause 2(f) the words "of an eligible person" shall be deleted.

Shri Palode Ravi :

130. In clause 2(f), for the words "eligible person" the words "applicant for service" shall be substituted.

Shri K. V. Abdul Khader :

131. In clause 2(g) for the words "any service to be provided" substitute the words "any service to be rendered".

Smt. P. Aisha Potty :

132. In clause 2(g), for the words "any law for the time being in force" substitute the following, namely "any Act passed by the legislature and for any regulation, notification, order, scheme, rule or bye law issued thereafter".

Shri T. N. Prathapan :

133. In clause 2(g), after the words "Department of the Government", the words "including Government Secretariat" shall be inserted.

Shri K. Raju :

134. In clause 2(g). after the words "Public Sector Undertaking", insert the words "Quasi Government institution".

Shri A. K. Balan :

135. In clause 2(g) insert the following words between the words, "a Statutory Body" and "as may be" in the last line, namely :—

"any agencies/contractors licenced/entrusted to deliver the services on behalf of the Government including institution registered under charitable societies Act."

Shri Palode Ravi :

136. For clause 2(g) the following shall be substituted, namely :—

"2(g) "service" means any service to be provided under the provisions of any law for the time being in force or as per Government Orders issued from time to time, to the general public by or under any Department of the Government including Secretariat service or by a Local Self Government Institution or Development authorities or Co-operative Institutions under the Co-operative Societies Act or by a Public Sector Undertaking or by a Statutory Body, as may be notified under section 3."

Shri Mathew T. Thomas :

137. Clause 2(g) shall be recast as follows :

"2(g) "service" means any service as may be notified under section 3."

Shri Benny Behanan :

138. Clause 2(h) shall be recast as follows :

"2(h) "state level Appellate Authority" means the authority notified as such under section 3A."

Shri P. Ubaidulla :

139. In clause 2(i) the words "or ninety days whichever is earlier" shall be added at the end.

Shri K. Suresh Kurup :

140. After clause 2(i) add the following sub clause, namely:-

"(j) Local Self Government Institutions includes Grama Panchayath, Block Panchayath, District Panchayath, Municipality and Municipal Corporation."

Shri K. Sivadasan Nair :

141. After clause 2(i), add the following sub clause namely:-

"(j) "Aggrieved person" means any person aggrieved by the order of the designated Officer or the first appellate authority."

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Shri Palode Ravi :

142. In clause 3 for the words beginning with "save as" and ending with "statutory body" substitute the words "save as otherwise provided in any other law for the time being in force, every Department of the Government including Secretariat Service, every head of Department, every Local Self Government Institutions and every statutory body".

Shri K. Dasan :

143. In clause 3 after the words "save as otherwise provided in any other law of the time being in force" the following words shall be inserted, namely "the Private Secretary of Ministers".

Shri Mathew T. Thomas :

144. In clause 3 after the words "for the time being in force" the words "in respect of" and after the words "every statutory body" the words "the Government" shall be inserted.

Shri V. S. Sunil Kumar :

145. In clause 3 after the words "every Department of the Government" the words "Secretariat" shall be inserted.

Shri Babu M. Palissery :

146. In clause 3, for the words "every Department of the Government" substitute the following words "the Chief Secretary and Principal Secretaries/Secretaries of the various Departments in the Government Secretariat."

Shri T. N. Prathapan :

147. In clause 3 after the words "every department of the Government" the word "Secretariat" shall be inserted.

Shri M. Ummer :

148. In clause 3 delete the words "every Local Self Government Institution".

Shri K. M. Shaji :

149. In clause 3, after the words "Local Self Government Institution" the words " every State Public Undertaking" shall be inserted.

Shri V. S. Sunil Kumar:

150. In clause 3, after the words "every Local Self Government Institution" the words " every Public Sector Undertaking" shall be added.

Shri K. Suresh Kurup:

151. In clause 3, substitute the words "Heads of the department of Local Self Government" for the words "Every Local Self Government Institution".

Shri K. Sivadasan Nair:

152. In clause 3, after the words "Local Self Government Institutions", the following words shall be inserted "Heads of Public Undertakings".

Shri A. M. Ariff :

153. In clause 3, for the words "every Local Self Government Institution" the following words shall be substituted, namely "Secretaries of every Local Self Government Institution".

Shri E. P. Jayarajan :

154. In clause 3, for the words "within six months of the commencement of this Act" the words "immediately after the notification of this Act in the Gazette" shall be substituted.

Shri B. D. Devassy:

155. In clause 3, after the words "within six months of the commencement of this Act" insert the following words, " or within six months after date of commencement of any law or Government order that may be made or issued hereafter casting an obligation on them to render any service".

Shri M. Ummer:

156. In clause 3, for the words "six months" substitute the words "Two Months".

Shri Benny Behanan:

157. In clause 3, for the words "six months" the words "two months" shall be substituted.

Shri Palode Ravi:

158. In clause 3, the words "six months" shall be substituted by the words "three months".

Shri Joseph Vazhackan :

159. In clause 3, for the words "six months," substitute the words "three months".

Shri E. K. Vijayan:

160. In clause 3, for the words "six months" substitute the words "three months".

Shri K. Suresh Kurup:

161. In clause 3, substitute the words "Three months" for the words "Six Months".

Shri K. Muhammadunni Haji:

162. In clause 3, for the words "six months" the words "three months" shall be substituted.

Shri T. N. Prathapan :

163. In clause 3, for the words "six months" substitute the words "four months".

Shri V. D. Satheesan :

164. In clause 3, for the words "six months" substitute the words "five months".

Shri V. Chenthamarakshan :

165. In clause 3, for the words "notify in the gazette the services", substitute the words "notify in the gazette the nature of services".

Shri Benny Behanan :

166. In clause 3, the words "first" and "second appellant authority" shall be deleted.

Shri P. K. Gurudasan :

167. In clause 3, after the words "second appellate authority" insert the words "and every office shall be specify".

Shri Palode Ravi :

168. In clause 3, insert the words "not below the rank of a Government Secretary" in between the words "Second appellate authority" and "and the stipulated time limit"

Shri M. Hamsa :

169. In clause 3, add the following at the end:
"and the requisite documents/records/information to obtain the Service"

Shri A. K. Balan :

170. Clause 3 may be recast as follows:

"Power to notify services, stipulated time limit, designated officer etc. The state Government shall, by notification from time to time, notify the services that every department of the Government, including the Secretariat, Local Self Government Institution, State Public Sector units, every statutory body, agencies or contractors licensed on entrusted to deliver the

services on behalf of the Government or institutions registered under Charitable Societies Act, that will be rendered by each of them, the designated officers, the first appellate authority and the second appellate authority and every office shall notify the stipulated time limit for the purpose of this Act and specify the requisite documents /records/ information to obtain the Service”.

Shri N. A. Nellikkunnu :

171. After Clause 3, the following proviso shall be added, namely:—

“Provided that in order to maintain uniformity, Local Self Government Institutions and State Public Undertakings shall Publish such notification only after obtaining consent of Government in Local Self Government Department and Bureau of Public Enterprises respectively.”

Shri M. Chandran :

172. In Clause 3 add the following proviso, “Provided that in the case of Local Self Government Institutions, the notifications to be published in the Gazette on their behalf shall, within three months from the date of commencement of this Act, be forwarded in the draft form to the Director of Panchayats or the Director of Urban Affairs, as the case may be, and the Director concerned shall, after fixing a uniform stipulated time limit in respect of the services of same nature or of same class or classes, publish the notification in the Gazette in a consolidated form or separately for each District, within six months from the date of commencement of this Act.”

Shri Kodiyaeri Balakrishnan :

173. After clause 3 the following proviso shall be added

“Provided that if any of the authorities bound to notify in the Gazette the services that will be rendered by them fail to do so within six months, the services being rendered by them as enumerated in the manuals, internal circulars brought out by them shall be the services deemed to be notified by them”

Shri Elamaram Kareem :

174. The existing clause 3 shall be renumbered as 3 (1) and insert the following as 3 (2), "(2) Where any Department, institution, authority or body as specified in sub-section (1) fails to notify the services, designated officer, appellate authorities and the stipulated time or to act as provided in the said sub-section with out reasonable cause, the Secretary, Head of the Department or the Director concerned, who is responsible for their administration, shall personally be liable to pay such fine as may be prescribed, but not exceeding 500 rupees per each day in which such failure continues and such fine shall be imposed by the appointing authority of such officer and in the case of the State Public Sector Undertakings, the Managing Director or Chairman of such undertaking concerned shall be liable as above and such amount of fine as stated above shall be recovered by way of deduction from salary or in any other manner as may be prescribed:

Provided that before imposing any fine under this sub-rule, the officer concerned shall be given an opportunity of being heard."

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Shri Mathew T. Thomas:

175. After clause 3, the following clause shall be inserted:

"3A (1) The Government may thereafter by notification from time to time notify the services to which this Act shall be extended to

(2) The Government may also by notification specify the designated officers, first appellate authority, second appellate authority and the stipulated time limit in respect of services so extended."

Shri Benny Behanan :

176. After clause 3, a new clause shall be inserted as follows:

"3A. *Constitution of State Level Appellate Authority.*— Government may by notification constitute a State Level Appellate Authority within six months of the commencement of this Act to entertain the grievances of the appellants."

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Shri M. Ummer :

177. In the marginal heading of clause 4, insert the words "within stipulated time limit" after the words "Right to obtain services".

Shri E. P. Jayarajan:

178. In clause 4, for the words "Every eligible person" the words "Every citizen" shall be substituted.

Shri Palode Ravi:

- 179 In clause 4, for the words "eligible person" substitute the words "applicant for service".

Shri M. V. Sreyams Kumar :

- 180 In clause 4, the words "specified for each service" shall be added at the end.

Shri T. N. Prathapan:

181. After clause 4, the following proviso shall be added, namely:—
"provided that eligible person shall submit true and correct information to obtain the services notified under Section 3".

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Shri Ramesh Chennithala:

182. After clause 4, add the following Clauses 4A and 4B, namely;— "4A. A notice board/information hoarding in the prescribed format, depicting the services being provided by the institution/office and its accessing modalities, shall be displayed within the office premise so as to make the applicant be known about such services and also about the personnel whom they have to approach for accessing/availing such services

4B. Government is empowered to make/put in place suitable institutional or structural arrangements or changes as may be deemed fit under this act including designation of nodal officers and formulation of procedural formalities to facilitate the access of qualitative and timely service".

Shri M. Ummer :

183. In clause 5(1), after the words "The designated officer" the words "or a person subordinate to him authorised to receive the application" shall be inserted.

Shri E. P. Jayarajan :

184. In clause 5(1), for the words "an eligible person", the words "a citizen" shall be substituted.

Shri Palode Ravi :

185. In clause 5(1), the words "eligible person" shall be substituted by the words "applicant for services".

Dr. K. T. Jaleel :

186. In clause 5(1), delete the words "or reject the application".

Shri Roshy Augustine :

187. In clause 5(1), after the words "intimate" the words "in the same day" shall be inserted.

Shri K. Suresh Kurup :

188. In clause 5(1), insert the words "in person or by Registered post" in between the words "applicant" and "forthwith".

Shri Roshy Augustine :

189. In clause 5(1), in between the words "applicant" and "forthwith", the words "in writing" shall be inserted.

Shri Kodiyei Balakrishnan :

190. In clause 5(1), for the last word "forthwith" substitute the words "within the stipulated time limit".

Shri R. Rajesh :

191. Add the following at the end of clause 5(1) "along with the particulars of the appellate authority."

Shri Ramesh Chennithala :

192. In clause 5(1), after the last sentence, the following sentences may be added, "If any service has been denied/rejected by the officer, causes and reasons for such rejection/denial must be clearly stated and intimate to the applicant. If it has found that the service has been rejected or denied without any substantial valid reason or justification fine may be imposed to the erring officer/officers in such a manner and way as may be prescribed under this ac".

Shri M. Ummer :

193. In clause 5(2), the words "in prescribed form" shall be inserted before the words "to receive such application".

Shri V. S. Sunil Kumar :

194. In clause 5(2), after the words "receive such application", the words "by issuing a receipt to that effect" shall be added.

Shri Mathew T. Thomas :

195. After clause 5(2) add the following sentence at the end: "Every designated officer shall maintain detailed records of applications for service, in a format as may be prescribed".

Shri Ramesh Chennithala :

196. Recast clause 5(2) as follows:

"(2) An application received, including the on-line application, under sub-section (1) shall be duly acknowledged by the designated officer or by the officer authorised by him to receive such application."

Shri James Mathew :

197. After clause 5(1) add the following as clause 5(2) namely: "(2) when the designated officer is absent on leave or otherwise, immediate junior shall be the designated officer for the purpose of this Act" and renumber the remaining sub-clauses.

Shri M. A. Vaheed :

198. In clause 5(3), for the word "start" substitute the word "begin".

Shri Mathew T. Thomas :

199. In sub-clause (3) of the clause 5, after the words "start from" the words "the next working day of" shall be inserted.

Shri C. Krishnan :

200. In clause 5(3), after the word "received" add the words "either in person or through on-line".

DR. T. M. Thomas Isaac :

201. After the existing clause 5(2) add the following as clause 5(3) namely :—"(3) the departments and officers covered by e-governance a port let may be provided for submitting on-line application for the service. The designated officer shall on the same day assign an identification number fore achapplication to track the file and shall provide the service as stipulated in sub clause (1) above" and renumber the remaining sub clauses.

Shri Kodiyeri Balakrishnan :

202. After clause 5(3), the following sub clause shall be inserted, namely: "(4) the designated authority shall keep a register regarding compliance of the directions issued by the respective first appellate authority and second appellate authority" .

Shri Kodiyeri Balakrishnan :

203. After clause 5(3) the following sub clause shall be inserted namely:— "(4) Every eligible person having applied for any service shall be provided an application number by the designated officer and shall be entitled to obtain and monitor status of his application on line or in person in accordance with such procedure as may be prescribed. The Public Authority shall maintain status of all applications for service online and in a register and shall be duly bound to update the status of the same as per the procedure as prescribed by rules in this regard."

Shri K. K. Jayachandran :

204. Add the following clause after clause 5(3), namely:—
"5(4) every office shall evolve an on-line file tracking system."

Shri K. Suresh Kurup :

205. After clause 5 (3) add the following sub-clauses namely:—

“(4) Every Applicant shall be entitled to obtain and monitor status of the application on line in accordance with such procedure as may be prescribed.

(5) Every public Authority or Local Authority as the case may be shall maintain the status of all applications related to services on line and shall be duly bound to update the status of the applications”.

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Shri Palode Ravi :

206. After clause 5, a new clause shall be inserted, namely:—

“5A. Monitoring the status of the application

a. Every applicant for service having applied for any citizen related services shall be provided an application number by the concerned Public Authority, or Local Authority, as the case may be and shall be entitled to obtain and monitor status of his application online in accordance with such procedure as may be prescribed.

b. Every Public Authority or Local Authority, as the case may be, shall maintain status of all applications governing citizen related services on line and shall be duly bound to update the status of the same as per the procedure as prescribed by rules in this regard.”

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Shri. Benny Behanan :

207. In clause 6 for the words, “first appellate authority” the words “appellate authority” may be substituted wherever occur.

Shri. Benny Behanan :

208. In clause 6 for the words, “second appellate authority” the words “state level appellate authority” shall be substituted wherever occurs.

Shri. Mathew T. Thomas :

209. In clause 6 (1), the words, "required service" shall be substituted by the words "service applied for".

Shri. Saju Paul :

210. In clause 6(1) delete the words "and on payment of such fee".

Shri. E. P. Jayarajan:

211. In clause 6(1) the words "and on payment of such fee" shall be deleted.

Shri. K. Sivadasan Nair:

212. In clause 6(1) the words "and on payment of such fee" shall be deleted.

Shri. K. Sivadasan Nair:

213. In the proviso to clause 6(1) for the words "after the expiry of the period of thirty days" substitute the words "forthwith".

Shri. Roshy Augustine:

214. In the proviso to clause 6(1) for the words "thirty days" substitute the words "fifteen days".

Shri. Mathew T. Thomas :

215. In sub-clause (2) of clause 6, the word "may" after the words, "appellate authority" shall be substituted by the words "shall either" and the word "may" after the word "or" shall be deleted.

Shri. P. C. Vishnunadh:

216. In clause 6 (2), for the words "provide" substitute the word, "render".

Shri. Koliakode N. Krishnan Nair:

217. In clause 6 (2), for the words, "within a specified period" substitute the word, "forthwith".

Shri M. Ummer :

218. In clause 6 (2), for the words "a specified period" the words, "Thirty days" shall be substituted.

Prof. C. Raveendranath :

219. In clause 6 (2) add the words "and shall intimate the appellant the reasons for rejection of appeal", at the end.

Shri K. Kunhiraman (Trikkaripur):

220. In clause 6 (2) add the words "and shall intimate the same in writing to the eligible person" at the end.

Shri C. Moyinkutty:

221. In clause 6 (3) after the word "limit" the words "or one month, whichever is earlier" shall be added at the end.

Shri K. Sivadasan Nair :

222. In clause 6 (3) after the words "time limit" the words "after giving an opportunity to the designated officer under Section 3 to file his explanation whatsoever for denying the service if any" shall be added at the end.

Shri P. B. Abdul Razak :

223. In clause 6 (4) for the word "aggrieved" the words "not satisfied" shall be substituted.

Shri T. N. Prathapan:

224. In clause 6 (4) for the word "sixty" the words "forty five " shall be substituted.

Shri K. Sivadasan Nair:

225. In clause 6 (4) for the words "sixty days" the words "thirty days" shall be substituted.

Shri K. Kunhammed Master:

226. In clause 6 (4) delete the words "and on payment of such fee".

Shri E. P. Jayarajan :

227. In clause 6(4), the words "and on payment of such fee" shall be deleted.

Shri Sunny Joseph :

228. In the proviso to clause 6(4), for the word "that" substitute the word "the".

Shri P. C. Vishnunadh :

229. In clause 6(5), delete the word "he may".

Shri Mathew T. Thomas :

230. In sub clause (5) of clause 6, the word "may" after the words "second appellate authority" may be substituted by the words "shall either" and the words "he may" shall be deleted.

Shri M. Ummer :

231. In clause 6(5) for the words "a specified period" substitute the words "fifteen days".

Prof. C. Raveendranath :

232. In clause 6 (5) add the following at the end namely: "under intimation to the appellant of the reasons for rejection of the appeal."

Shri Kodiyei Balakrishnan

233. In clause 6(5) add the following at the end namely: "under intimation to the eligible person".

Shri E. P. Jayarajan :

234. After clause 6(5) the following proviso shall be added namely: "Provided that before rejecting the appeal, an opportunity of hearing to the aggrieved person shall be granted by the second appellate authority".

Shri Abdurahiman Randathani :

235. In clause 6 (7) after the word, "limit" the words "or one month whichever is earlier" shall be added at the end.

Shri P. C. Vishnunadh:

236. In sub-clause (8) of clause 6, after the words "such non-compliance may" the words, "within such period or may be prescribed" shall be inserted.

Shri K. Sivadasan Nair:

237. In clause 6 (8), for the words, "second appellate authority and such applications shall be disposed of in the same manner in which a second appeal is to be disposed of under this Act", substitute the words, "first appellate authority and such an application shall be disposed of for complying the earlier order and proceed in to the penal provision and disciplinary action".

Shri K. Radhakrishnan:

238. In clause 6 (8), for the words "such an application shall be disposed of in the same manner in which a second appeal is to be disposed of under this Act", substitute the words, "the second appellate authority shall direct the designated officer to provide the service forthwith and shall impose penalty as provided in section 8".

Shri Mathew T. Thomas :

239. In sub clause (9) of clause 6, after the words "such non-compliance may", the words "within such period as may be prescribed" shall be inserted.

Shri G. Sudhakaran :

240. In clause 6 (9) for the words, "such an application shall be disposed of in the same manner in which a second appeal is to be disposed of under this Act." substitute the words, "direct the designated officer to provide the service forthwith and also impose penalty on the designated officer as provided in section 8".

Shri C. Mammatty :

241. In clause 6 (9), after the word "Act" the words "and impose second penalty equal to that of first penalty" shall be added at the end.

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Shri K. Kunhiraman (Uduma):

242. In clause 7 (b), delete the words, "and two appellant,"

Shri E. P. Jayarajan:

243. After clause 7 of the following clause shall be added namely:—
7A *Service Guarantee*:- Every Head of Department shall have the responsibility to assure the time bound delivery of citizen related Service as defined in this Act"

Shri K. Suresh Kurup:

244. After clause 7 add the following clause as clause 7 A

"7A. *Constitution of the Commission*:- The Government shall constitute a commission to be called The Kerala State Guarantee of Services Commission constituting of a Chief Commissioner and two other Commissioners and their appointment shall be made by the Government in consultation with the leader of opposition. The Commission shall supervise all the matters related to the services to be provided."

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Shri Oommen Chandy:

245. In sub-clause (2) of clause 8 for the word "penalty" the word "fine" shall be substituted.

Shri K. Suresh Kurup:

246. In clause 8 (1) (a) the words "failed to Provide" shall be substituted by the words "not provided"

Shri K. Sivadasan Nair:

247. In clause 8 (1) (a) for the words "the second appellate authority" substitute the words "first appellant authority".

Shri Benny Behanan:

248. In clause 8, for the words "second appellate authority" wherever it occurs, the words "state level appellate authority right" shall be substituted.

Shri Benny Behanan:

249. In clause 8, for the words "first appellate authority" the words "appellate authority" shall be substituted wherever it occurs.

Smt. K. K. Lathika:

250. In clause 8 (1) (a) substitute the word "shall" for the word "may".

Shri E. P. Jayarajan:

251. In clause 8 (1) (a) for the words "impose a fine on the designated officer which shall not be less than five hundred rupees and not more than five thousand rupees," the words "shall recommend disciplinary action against him under the service rules applicable to him" shall be substituted.

Shri T. N. Prathapan:

252. In clause 8 (1) (a) for the words "five hundred," the words "one thousand" shall be substituted.

Shri Roshy Augustine:

253. In clause 8 (1) (a) for the words "five hundred rupees" substitute the words "thousand rupees".

Shri V. S. Sunil Kumar:

254. In clause 8 (1) (a) for the words "five hundred rupees" and "five thousand rupees", the words "one thousand rupees" and "twenty five thousand rupees" shall be substituted respectively.

Shri Mathew T. Thomas :

255. In clause 8(1)(a) for the words, "five hundred rupees and not more than five thousand rupees" substitute the words, "five thousand rupees and not more than ten thousand rupees;".

Shri K. Sivadasan Nair :

256. In clause 8(1)(b) for the words, "second appellate authority", substitute the words, "first appellate authority".

Shri T. N. Prathapan.:

257. In clause 8(1)(b) for the words, "two hundred and fifty" the words "one hundred" shall be substituted.

Shri R. Selvaraj :

258. In clause 8(1)(b) for the words "two hundred and fifty rupees", substitute the words "two hundred and seventy five rupees".

Shri Hibi Eden :

259. In clause 8(1)(b) for the words "two hundred and fifty rupees", substitute the words "two hundred and eighty five rupees".

Shri Varkala Kahar :

260. In clause 8(1)(b) for the words "two hundred and fifty rupees", substitute the words "three hundred rupees".

Shri P. C. Vishnunadh :

261. In clause 8(1)(b) for the words "two hundred and fifty rupees", substitute the words "four hundred rupees".

Shri A. P. Abdullakutty:

262. In clause 8(1)(b), for the words "two hundred and fifty rupees" substitute the words "five hundred rupees".

Shri Thomas Unniyadan:

263. In clause 8(1)(b), for the words "two hundred and fifty" substitute the words "five hundred rupees".

Shri M. P. Vincent:

264. In clause 8(1)(b), for the words "two hundred and fifty rupees" substitute the words "six hundred rupees".

Shri V. S. Sunil Kumar:

265. In clause 8(1)(b), for the words "two hundred and fifty rupees", the words "One thousand, two hundred and fifty" shall be substituted.

Shri Purushan Kadalundi:

266. In clause 8(1)(b), delete the words "the sum of which shall not exceed five thousand rupees".

Shri V. S. Sunil Kumar:

267. In clause 8(1)(b), for the words "five thousand rupees" the words "twenty five thousand rupees" shall be substituted.

Shri A. Pradeepkumar:

268. In clause 8(1)(b), add the following words at the end:

“the amount so collected shall be awarded to the appellant as compensation”.

Shri V. S. Sunil Kumar :

269. After clause 8(1)(b), add the following, namely:—

“(c) Appeals are to be disposed of within a period of 60 days by the appellate authority”.

Shri V. P. Sajeendran :

270. In clause 8(2), for the word “clause”, substitute the word “ground”.

Shri P. A. Madhavan :

271. In clause 8(2), for the words “five hundred rupees” substitute the words “six hundred rupees”.

Shri K. Achuthan :

272. In clause 8(2), for the words “five hundred rupees” substitute the words “ six hundred and fifty rupees”.

Shri Ludy Luiz :

273. In clause 8(2), for the words “five hundred rupees” substitute the words “seven hundred rupees”.

Shri A. T. George :

274. In clause 8(2), for the words “five hundred rupees” substitute the words “ eight hundred rupees”.

Shri Roshy Augustine :

275. In clause 8(2), for the words “five hundred rupees” substitute the words “thousand rupees”.

Shri V. S. Sunil Kumar:

276. In clause 8 (2), for the words “five hundred” the words, “one thousand” shall be substituted.

Shri T. N. Prathapan :

277. In clause 8 (2), for the words "five hundred" the words, "one thousand" shall be substituted.

Shri Anwar Sadath:

278. In clause 8 (2), for the words "five hundred rupees" substitute the words, "one thousand rupees".

Shri V. T. Balram:

279. In clause 8 (2), for the words "five hundred" substitute the words, "one thousand one hundred rupees".

Shri Shafi Parambil:

280. In clause 8 (2), for the words "five hundred rupees" substitute the words, "one thousand and two hundred rupees".

Shri P. T. A. Rahim:

281. In clause 8 (2), for the words "five hundred rupees and not more than five thousand" substitute the words, "five thousand rupees and not more than ten thousand".

Shri Thomas Unniyadan:

282. In clause 8 (2), for the words "five thousand rupees" substitute the words, "ten thousand rupees".

Shri V. S. Sunil Kumar :

283. In clause 8(2), for the words "five thousand" the words "twenty five thousand" shall be substituted.

Shri T. N. Prathapan :

284. The proviso to clause 8(2) shall be deleted.

Shri Kodiyeri Balakrishnan :

285. After clause 8(2) add the following sub-clause and renumber accordingly :—

"(3) The penalty imposed would be recoverable from the salary of the designated officer or the first appellate authority as the case may be".

Shri M. Ummer :

286. In clause 8(3), the words "and in case of a habitual and willful defaulter" shall be inserted between the words "under this Act" and "recommend disciplinary action".

Shri Benny Behanan :

287. In clause 8(3) insert the words "including for making relevant entries in the Service Book of erring officials" between the words disciplinary action" and "against him".

Shri T. A. Ahammed Kabeer :

288. After clause 8(3) the following sub-section shall be added, namely :—

"(4) In the circumstances of these penalties imposed on a designated officer or first appeal authority, an adverse entry shall be made in the respective service record".

Shri Ramesh Chennithala :

289. After clause 8, add the following clause, namely:—

8A. *Compensation for right holders:*

"If any damage or loss has been sustained to the livelihood perspectives of the right holder/applicant subsequent to the denial/rejection of service with out any substantial valid reasons, the loss/damages caused to him thereby on account of such denial/rejection of service, the applicant may be paid such compensation or relief as may deem fit."

Shri Palode Ravi :

290. After clause 8 the following clause shall be added, namely:—

"8A. Payment of compensatory cost to the applicant for Service

An applicant for service having applied such services shall be entitled to seek compensatory cost in accordance with the provisions of this Act and rules made thereunder, in case of delay or default in the delivery of such services beyond the stipulated time".

Shri E. P. Jayarajan :

291. After clause 8 the following clause shall be inserted, namely:—

“8A. Payment of compensatory cost to the citizen:

Citizen having applied for such services shall be entitled to seek compensation in accordance with the provisions of this Act and rules made there under, in case of delay or default in the delivery of such services beyond the stipulated time”.

Shri M. Ummer :

292. After clause 8, the following clause shall be inserted, namely:—

“8A. The provision of this Act shall be deemed to the part of service conditions of the designated officer including such officer of all Public Authorities”.

Shri M. Ummer :

293. After clause 8, the following clause shall be inserted, namely:—

“8 A Right of appeal by the Public Servant.—Any Public Servant aggrieved by the order passed by the Second appellate authority in accordance with section 8 of the Act shall be entitled to file an appeal to the Head of Department/ a commission constituted under this Act, against such order within a period not exceeding thirty days of the receipt of the impugned order. The order of the Head of Department/ Commission shall be final and binding”.

Shri M. Ummer :

294. After clause 8, the following clause shall be inserted namely:—

“8A. Constitution of the Commission.— For the purpose of this Act, the Government shall constitute a commission to be called the Kerala Right to Service Commission:

Provided that till such time the commission is not constituted by the State Government, it may, by notification, nominate an officer of the State Government not below the rank of a Secretary to Government, to perform the functions and exercise the powers of the commission under this Act”.

Shri T. N. Prathapan :

295. After Clause 8, add the following clause and renumber accordingly:

"9. *Application for revision.*—Any officer affected by an order of the second appellate authority in respect of imposing penalty application to the officer, nominated by the State Government within a period of 30 days from the date of order".

Shri Mathew T. Thomas :

296. After clause 8, the following clause shall be added and renumber accordingly :

"8A. *Revision Authority:*

(1) The Government shall notify an officer not below the rank of a Secretary to Government, as the revision authority to consider the revision petitions filed against the order of the second appellate authority.

(2) Any Person aggrieved by any order of the Second appellate authority may made an order to the revision authority with a period of six months from the date of such order, which shall be disposed of in the manner as may be prescribed:

Provided that the revision authority may entertain the application after the expiry of the period mentioned here above, if satisfied that the applicant had sufficient cause for not filing the petition in time.

ഒൻപതാം വകുപ്പ്

Shri K. Muraleedharan :

297. In clause 9, for the words "which is in good for the done", substitute the words "done in good faith".

Shri T. N. Prathapan :

298. After clause 9, add the following clause and renumber accordingly:

"10. *Display of Services.*— The Services and the stipulated time limit shall be displayed in every department concerned for information of the public".

Shri N. Samsudheen :

299. After clause 9 add the following clause and renumber accordingly:

“10. *Evaluation of performance using advanced technology*:— Performance of designated officers and appellate authorities shall be evaluated with the help of advanced technology and best performers in each District of the State shall be awarded in the manner prescribed”.

Shri Kodyeri Balakrishnan :

300. After clause 9, the following clause shall be added and the remaining clauses shall be renumbered:—

“10. *Kerala Right to Service Commission* :—

(1) The Government shall, by notification in the Gazette, constitute a body to be known as the Kerala Right to Service Commission to have a general superintendence over the compliance of the directions of the second appellate authority.

(2) The Kerala Right to Service Commission Shall consist of—

(a) A Chief Service Commissioner

(b) two Service Commissioners

(3) The Chief Service Commissioner shall be a Retired Judge of the High Court.

(4) The Chief Service Commissioner and the Service Commissioners shall be appointed by the Government after the consultation with Leader of Opposition in the Legislative Assembly.

(5) The Commission shall receive appeal from any person over the non-compliance of the direction of the second appellate authority issued under sub section (9) of section 6.

(6) On receipt of such appeal under sub section (5), the commission after requiring the production of documents from the designated authority and inspecting these documents shall dispose of the appeal and directions issued to the designated authority accordingly.

(7) The Commission shall have the same powers as are vested in Civil Court in respect of enforcing the directions issued while disposing of the appeals”.

Shri A. K. Balan :

301. After clause 9 add the following clause namely:

“9A. Constitution of The Kerala Right to Service Commission,—

(1) The Government shall constitute a commission known as The Kerala Right to Service Commission and shall, by notification in the official Gazette, appoint a person of eminence in public life with wide knowledge and experience in administration and governance or social service as Commissioner. He shall be appointed in consultation with the Leader of the Opposition and the tenure of his office shall be three years.

(2) It shall be the duty of the Commission to ensure proper implementation of this Act and to make suggestions to the Government for ensuring better delivery of services. For this purpose the Commission may

(a) entertain and dispose of application from eligible persons rejected by the Second Appellate Authority and shall have power to impose penalty on the Designated Officer, First Appellate Authority and Second Appellate Authority, if found any dereliction on their part;

(b) recommend changes in procedures for delivery of services which will make the delivery more transparent and easier; and

(c) issue general instructions, not inconsistent with the provision of this Act for the guidance of designated officers, first appellate authorities and the second appellate authorities.

(3) The Commission shall, while inquiring into any matter under this section, have the same powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, viz:—

- (a) summoning and enforcing the attendance of persons, compelling them to give oral or written evidence on oath and producing documents or things;
 - (b) requiring the discovery and inspection of documents;
 - (c) receiving evidence on affidavits;
 - (d) requisitioning any public records or copies thereof from any court or office;
 - (e) issuing summons for examination of witnesses or documents; and
 - (f) any other matter which may be prescribed.
- (4) The Commission may frame its regulations for the conduct of its business and any such matter, as the Commission may deem fit."

പത്താം വകുപ്പ്

Shri K. Raju :

302. In clause 10 after the word "Court" the words "below High Court" shall be inserted.

Smt. E. S. Bijimol:

303. Clause 10 shall be recast as follows "10, All District Courts shall have the Power to entertain any suit, application on other proceeding in respect of any orders issued under this Act, and Provision for appeal against the order of Civil Court to High Court or Supreme Court shall be under this Act."

പതിനൊന്നാം വകുപ്പ്

Shri V. M. Ummer Master:

304. In clause 11 (1) after the word "Gazette" the following words shall be inserted: "with in six months from the date of its passing"

പന്ത്രണ്ടാം വകുപ്പ്

Shri S. Rajendran:

305. Delete the proviso to clause 12 (1)

കേരള നിയമസഭാ സെക്രട്ടേറിയറ്റ്,
തിരുവനന്തപുരം,
2012 ജൂലൈ 24.

പി. കെ. മുരളീധരൻ,
സെക്രട്ടറി-ഇൻ-ചാർജ്.

പതിമൂന്നാം കേരള നിയമസഭ

ബിൽ നമ്പർ 113

2012-ലെ കേരള സംസ്ഥാന സേവനാവകാശ ബിൽ

2012-ലെ കേരള സംസ്ഥാന സേവനാവകാശ ബിൽ

നിശ്ചിത സമയപരിധിക്കുള്ളിൽ പൊതുജനങ്ങൾക്ക് സേവനങ്ങൾ പ്രദാനം ചെയ്യുന്നതിനും അതുമായി ബന്ധപ്പെട്ടതും അതിന് ആനുഷംഗികമായ കാര്യങ്ങൾക്കുംവേണ്ടി വ്യവസ്ഥ ചെയ്യുന്നതിനുള്ള

ഒരു

ബിൽ

പീഠിക.—നിശ്ചിത സമയപരിധിക്കുള്ളിൽ പൊതുജനങ്ങൾക്ക് സേവനങ്ങൾ പ്രദാനം ചെയ്യുന്നതിന് വ്യവസ്ഥ ചെയ്യുന്നത് യുക്തമായിരിക്കുകയാൽ;

ഇന്ത്യൻ റിപ്പബ്ലിക്കിന്റെ അറുപത്തിമൂന്നാം സംവത്സരത്തിൽ താഴെപ്പറയും പ്രകാരം നിയമമുണ്ടാകുന്നു:—

1. ചുരുക്കപ്പേരും പ്രാരംഭവും.—(1) ഈ ആക്റ്റിന് 2012-ലെ കേരള സംസ്ഥാന സേവനാവകാശ ആക്റ്റ് എന്ന് പേര് പറയാം.

(2) ഇത്, ഗസറ്റ് വിജ്ഞാപനംവഴി, സർക്കാർ നിശ്ചയിക്കുന്ന തീയതി മുതൽ പ്രാബല്യത്തിൽ വരുന്നതാണ്.

2. നിർവ്വചനങ്ങൾ.—ഈ ആക്റ്റിൽ, സന്ദർഭം മറ്റുവിധത്തിൽ ആവശ്യപ്പെടാത്ത പക്ഷം,—

(എ) “നിയുക്ത ഉദ്യോഗസ്ഥൻ” എന്നാൽ ഈ ആക്റ്റിലെ വ്യവസ്ഥകൾ കനുസരിച്ച് സേവനങ്ങൾ പ്രദാനം ചെയ്യുന്നതിനായി 3-ാം വകുപ്പ് പ്രകാരം അങ്ങനെ നിയുക്തനാക്കപ്പെട്ട ഒരു ഉദ്യോഗസ്ഥൻ എന്നർത്ഥമാകുന്നു;

(ബി) “അർഹതയുള്ള ആൾ” എന്നാൽ 3-ാം വകുപ്പ് പ്രകാരം വിജ്ഞാപനം ചെയ്യപ്പെട്ട സേവനങ്ങൾക്ക് അർഹതയുള്ള ഒരു ആൾ എന്നർത്ഥമാകുന്നു;

(സി) “ഒന്നാം അപ്പീൽ അധികാരി” എന്നാൽ 3-ാം വകുപ്പ് പ്രകാരം അങ്ങനെ വിജ്ഞാപനം ചെയ്യപ്പെട്ട ഒരു ഉദ്യോഗസ്ഥൻ എന്നർത്ഥമാകുന്നു;

(ഡി) “സർക്കാർ” എന്നാൽ കേരള സർക്കാർ എന്നർത്ഥമാകുന്നു;

(ഇ) “നിർണ്ണയിക്കപ്പെട്ട” എ്നാൽ ഈ ആക്റ്റിൻകീഴിൽ ഉണ്ടാക്കിയ ചട്ടങ്ങളാൽ നിർണ്ണയിക്കപ്പെട്ടത് എന്നർത്ഥമാകുന്നു;

(എഫ്) “സേവനാവകാശം” എന്നാൽ നിശ്ചിത സമയപരിധിക്കുള്ളിൽ ഒരു സേവനം ലഭിക്കുന്നതിന് അർഹതയുള്ള ഒരാൾക്കുള്ള അവകാശം എന്നർത്ഥമാകുന്നു;

(ജി) “സേവനം” എന്നാൽ തത്സമയം പ്രാബല്യത്തിലിരിക്കുന്ന ഏതെങ്കിലും നിയമത്തിലെ വ്യവസ്ഥകൾ പ്രകാരമോ, അത് സമയം സർക്കാർ പുറപ്പെടുവിക്കുന്ന ഉത്തരവുകൾ പ്രകാരമോ ഏതെങ്കിലും സർക്കാർ വകുപ്പോ അതിൻകീഴിലോ അല്ലെങ്കിൽ ഏതെങ്കിലും തദ്ദേശസ്വയംഭരണ സ്ഥാപനമോ അല്ലെങ്കിൽ ഒരു സംസ്ഥാന പൊതുമേഖലാ സ്ഥാപനമോ അല്ലെങ്കിൽ ഒരു നിയമാധിഷ്ഠിത നികായമോ പൊതുജനങ്ങൾക്ക് പ്രദാനം ചെയ്യേണ്ടതായ, 3-ാം വകുപ്പിൻകീഴിൽ വിജ്ഞാപനം ചെയ്യപ്പെടാവുന്ന, ഏതെങ്കിലും സേവനം എന്നർത്ഥമാകുന്നു ;

(എച്ച്) “രണ്ടാം അപ്പീൽ അധികാരി” എന്നാൽ 3-ാം വകുപ്പ് പ്രകാരം അങ്ങനെ വിജ്ഞാപനം ചെയ്യപ്പെട്ട ഒരു ഉദ്യോഗസ്ഥൻ എന്നർത്ഥമാകുന്നു ;

(ഐ) “നിശ്ചിത സമയപരിധി” എന്നാൽ നിയുക്ത ഉദ്യോഗസ്ഥൻ സേവനം പ്രദാനം ചെയ്യുന്നതിനോ അല്ലെങ്കിൽ അത്തരം സേവനത്തിനുള്ള ഒരു അപേക്ഷ തീർപ്പാക്കുന്നതിനോ 3-ാം വകുപ്പുപ്രകാരം വിജ്ഞാപനം ചെയ്യപ്പെട്ട പരമാവധി സമയപരിധി എന്നർത്ഥമാകുന്നു.

3. സേവനങ്ങൾ, നിശ്ചിത സമയപരിധി, നിയുക്ത ഉദ്യോഗസ്ഥൻ മുതലായവ വിജ്ഞാപനം ചെയ്യുന്നതിനുള്ള അധികാരം.—(1) തത്സമയം പ്രാബല്യത്തിലുള്ള മറ്റേതെങ്കിലും നിയമത്തിൽ മറ്റുവിധത്തിൽ വ്യവസ്ഥ ചെയ്തവയൊഴികെ, ഈ ആക്റ്റിന്റെ പ്രാരംഭം മുതൽ ആറുമാസത്തിനകം, ഓരോ സർക്കാർ വകുപ്പും, ഓരോ വകുപ്പ് മേധാവിയും, ഓരോ തദ്ദേശസ്വയംഭരണ സ്ഥാപനവും, ഓരോ നിയമാധിഷ്ഠിത നികായവും, അവ ഓരോന്നും നൽകുന്നതായ സേവനങ്ങൾ, നിയുക്ത ഉദ്യോഗസ്ഥർ, ഒന്നാം അപ്പീൽ അധികാരി, രണ്ടാം അപ്പീൽ അധികാരി, നിശ്ചിത സമയപരിധി എന്നിവ, ഈ ആക്റ്റിന്റെ ആവശ്യങ്ങൾക്കായി ഗസറ്റിൽ വിജ്ഞാപനം ചെയ്യേണ്ടതാണ്.

4. സേവനങ്ങൾ ലഭിക്കുന്നതിനുള്ള അവകാശം.— 3-ാം വകുപ്പ് പ്രകാരം വിജ്ഞാപനം ചെയ്യപ്പെട്ട സേവനങ്ങൾ നിശ്ചിത സമയപരിധിക്കുള്ളിൽ ലഭിക്കുന്നതിന് ഓരോ അർഹതയുള്ള ആൾക്കും അവകാശം ഉണ്ടായിരിക്കുന്നതാണ്.

5. നിയുക്ത ഉദ്യോഗസ്ഥന്റെ ചുമതല.—(1) അർഹതയുള്ള ഒരാളിൽ നിന്നും സേവനത്തിനുവേണ്ടിയുള്ള ഒരപേക്ഷ ലഭിച്ചാൽ, നിയുക്ത ഉദ്യോഗസ്ഥൻ, തത്സമയം പ്രാബല്യത്തിലുള്ള ഏതെങ്കിലും നിയമത്തിലെ വ്യവസ്ഥകൾക്ക് ഭംഗം വരാത്തവിധം, ആ സേവനം പ്രദാനം ചെയ്യുകയോ അല്ലെങ്കിൽ നിശ്ചിത സമയപരിധിക്കുള്ളിൽ ആ അപേക്ഷ നിരസിക്കുകയോ ചെയ്യേണ്ടതാണ്. നിരസിക്കുന്ന സംഗതിയിൽ, അദ്ദേഹം അതിനുള്ള കാരണങ്ങൾ രേഖാമൂലമായി വിവരിക്കേണ്ടതും അത് ഉടൻതന്നെ അപേക്ഷ കനെ അറിയിക്കേണ്ടതുമാണ്.

(2) (1)-ാം ഉപവകുപ്പുപ്രകാരം ലഭിച്ച ഒരു അപേക്ഷ നിയുക്ത ഉദ്യോഗസ്ഥനോ അല്ലെങ്കിൽ അത്തരം അപേക്ഷ സ്വീകരിക്കാൻ അദ്ദേഹം അധികാരപ്പെടുത്തിയ ഉദ്യോഗസ്ഥനോ യഥാവിധി കൈപ്പറ്റേണ്ടതാണ്.

(3) അപേക്ഷ ലഭിച്ച തീയതി മുതൽ നിശ്ചിത സമയപരിധി ആരംഭിക്കുന്നതാണ്.

6. അപ്പീൽ.—(1) നിശ്ചിത സമയപരിധിക്കുള്ളിൽ ആവശ്യമായ സേവനം ലഭിക്കാത്തതോ അല്ലെങ്കിൽ 5-ാം വകുപ്പിന്റെ (1)-ാം ഉപവകുപ്പ് പ്രകാരം അപേക്ഷ നിരസിക്കപ്പെട്ടതോ ആയ ഏതൊരാൾക്കും ഒന്നാം അപ്പീൽ അധികാരി മുമ്പാകെ, അപേക്ഷ നിരസിച്ച തീയതി അല്ലെങ്കിൽ നിശ്ചിത സമയപരിധി അവസാനിച്ച് മുപ്പത് ദിവസത്തിനുള്ളിൽ, നിർണ്ണയിക്കപ്പെടാവുന്ന അങ്ങനെയുള്ള രീതിയിലും, അങ്ങനെയുള്ള ഫീസ് ഒടുക്കിയും ഒരു അപ്പീൽ സമർപ്പിക്കാവുന്നതാണ്.

എന്നാൽ, സമയത്തിനുള്ളിൽ അപ്പീൽ ഫയൽ ചെയ്യാതിരുന്നതിന് അപ്പീൽ വാദിക്ക് മതിയായ കാരണമുണ്ടായിരുന്നെന്ന് ഒന്നാം അപ്പീൽ അധികാരിക്ക് ബോധ്യപ്പെടുകയാണെങ്കിൽ ആ അധികാരിക്ക്, മുപ്പത് ദിവസം അവസാനിച്ചതിനുശേഷവും അപ്പീൽ സ്വീകരിക്കാവുന്നതാണ്.

(2) ഒന്നാം അപ്പീൽ അധികാരിക്ക് നിയുക്ത ഉദ്യോഗസ്ഥനോട് ഒരു നിശ്ചിത കാലയളവിനുള്ളിൽ സേവനം നൽകുവാൻ നിർദ്ദേശിക്കുകയോ അല്ലെങ്കിൽ അപ്പീൽ നിരസിക്കുകയോ ചെയ്യാവുന്നതാണ്.

(3) (1)-ാം ഉപവകുപ്പുപ്രകാരമുള്ള ഒരു അപ്പീൽ നിശ്ചിത സമയപരിധിക്ക് തുല്യമായ ഒരു കാലയളവിനുള്ളിൽ തീർപ്പാക്കേണ്ടതാണ്.

(4) ഒന്നാം അപ്പീൽ അധികാരിയുടെ തീരുമാനത്തിൽ സങ്കടമുള്ള ഏതൊരാൾക്കും, ഒന്നാം അപ്പീൽ അധികാരിയുടെ തീരുമാനത്തിന്റെ തീയതി മുതൽ അറുപത് ദിവസത്തിനുള്ളിൽ നിർണ്ണയിക്കപ്പെടാവുന്ന അങ്ങനെയുള്ള രീതിയിലും അങ്ങനെയുള്ള ഫീസ് ഒടുക്കിയും രണ്ടാം അപ്പീൽ അധികാരി മുമ്പാകെ ഒരു അപ്പീൽ സമർപ്പിക്കാവുന്നതാണ്.

എന്നാൽ, സമയത്തിനുള്ളിൽ അപ്പീൽ ഫയൽ ചെയ്യാതിരുന്നതിന് അപ്പീൽ വാദിക്ക് മതിയായ കാരണമുണ്ടായിരുന്നെന്ന് രണ്ടാം അപ്പീൽ അധികാരിക്ക് ബോധ്യപ്പെടുകയാണെങ്കിൽ ആ അധികാരിക്ക് അറുപത് ദിവസം അവസാനിച്ചതിനുശേഷവും അപ്പീൽ സ്വീകരിക്കാവുന്നതാണ്.

(5) രണ്ടാം അപ്പീൽ അധികാരിക്ക് നിയുക്ത ഉദ്യോഗസ്ഥനോട് ഒരു നിശ്ചിത കാലയളവിനുള്ളിൽ സേവനം നൽകുവാൻ നിർദ്ദേശിക്കുകയോ അല്ലെങ്കിൽ അയാൾക്ക് അപ്പീൽ നിരസിക്കുകയോ ചെയ്യാവുന്നതാണ്.

(6) നിശ്ചിത സമയപരിധിക്കുള്ളിൽ സേവനം ലഭ്യമാക്കാതിരുന്നതിന് മതിയായ കാരണമില്ലെന്ന് രണ്ടാം അപ്പീൽ അധികാരി കണ്ടെത്തുകയാണെങ്കിൽ, അദ്ദേഹത്തിന്, ആ സേവനം ലഭ്യമാക്കാൻ നിർദ്ദേശിക്കുന്നതോടൊപ്പം 8-ാം വകുപ്പിൽ വ്യവസ്ഥ ചെയ്തിരിക്കുന്നപ്രകാരം ശിക്ഷ ചുമത്താവുന്നതുമാണ്.

(7) (4)-ാം ഉപവകുപ്പ് പ്രകാരമുള്ള ഒരു അപ്പീൽ നിശ്ചിത സമയപരിധിക്ക് തുല്യമായ ഒരു കാലയളവിനുള്ളിൽ തീർപ്പാക്കേണ്ടതാണ്.

(8) ഈ വകുപ്പിന്റെ (2)-ാം ഉപവകുപ്പ് പ്രകാരം ഒന്നാം അപ്പീൽ അധികാരി നൽകുന്ന നിർദ്ദേശം നിയുക്ത ഉദ്യോഗസ്ഥൻ അനുസരിക്കാത്തപക്ഷം, അത്തരം അനുസരിക്കാതിരിക്കലിൽ സങ്കടമുള്ള ആൾക്ക് രണ്ടാം അപ്പീൽ അധികാരിക്ക്

നേരിട്ട് ഒരു അപേക്ഷ ഫയൽ ചെയ്യാവുന്നതും അത്തരം ഒരു അപേക്ഷ ഈ ആക്ട് പ്രകാരം ഒരു രണ്ടാം അപ്പീൽ തീർപ്പാക്കേണ്ടുന്ന അതേ രീതിയിൽ തീർപ്പാക്കേണ്ടതുമാണ്.

(9) ഈ വകുപ്പിന്റെ (5)-ാം ഉപവകുപ്പ് പ്രകാരം സേവനം ലഭ്യമാക്കാനുള്ള നിർദ്ദേശം നിയുക്ത ഉദ്യോഗസ്ഥൻ അനുസരിക്കാത്തപക്ഷം, അത്തരം അനുസരിക്കാതിരിക്കലിൽ സങ്കടമുള്ള ആൾക്ക് രണ്ടാം അപ്പീൽ അധികാരിക്ക് നേരിട്ട് ഒരു അപേക്ഷ ഫയൽ ചെയ്യാവുന്നതും അങ്ങനെയുള്ള ഒരു അപേക്ഷ ഈ ആക്ട് പ്രകാരം ഒരു രണ്ടാം അപ്പീൽ തീർപ്പാക്കേണ്ടുന്ന അതേ രീതിയിൽ തീർപ്പാക്കേണ്ടതുമാണ്.

7. അപ്പീലിൽ കൈക്കൊള്ളേണ്ട നടപടിക്രമം.— ഈ ആക്ട് പ്രകാരം ഒരു അപ്പീലിൽ തീരുമാനമെടുക്കുമ്പോൾ ഒന്നാം അപ്പീൽ അധികാരിക്കും രണ്ടാം അപ്പീൽ അധികാരിക്കും താഴെ പറയുന്ന കാര്യങ്ങളെ സംബന്ധിച്ച്, 1908-ലെ സിവിൽ നടപടി നിയമസംഹിത (1908-ലെ 5-ാം കേന്ദ്ര ആക്ട്) പ്രകാരം ഒരു വ്യവഹാരം വിചാരണ ചെയ്യുമ്പോൾ ഒരു സിവിൽ കോടതിയിൽ നിക്ഷിപ്തമായ പ്രകാരമുള്ള അതേ അധികാരങ്ങൾ ഉണ്ടായിരിക്കുന്നതാണ്, അതായത്:—

(എ) പ്രമാണങ്ങൾ ഹാജരാക്കുന്നതിനും പരിശോധിക്കുന്നതിനും ആവശ്യപ്പെടൽ ;

(ബി) അപ്പീൽ വാദിയേയും നിയുക്ത ഉദ്യോഗസ്ഥനേയും കേൾക്കുന്നതിന് സമൺസ് അയയ്ക്കൽ ; കൂടാതെ

(സി) നിർണ്ണയിക്കപ്പെടാവുന്ന മറ്റേതെങ്കിലും കാര്യങ്ങൾ.

8. ശിക്ഷ.— (1) രണ്ടാം അപ്പീൽ അധികാരി,—

(എ) നിയുക്ത ഉദ്യോഗസ്ഥൻ, മതിയായതും യുക്തിസഹവുമായ കാരണമില്ലാതെ സേവനം നൽകുന്നതിൽ വീഴ്ച വരുത്തിയതായി കണ്ടെത്തിയാൽ, രണ്ടാം അപ്പീൽ അധികാരിക്ക് രേഖാമൂലമുള്ള ഒരു ഉത്തരവുവഴി, കാരണങ്ങൾ വിവരിച്ചുകൊണ്ട്, നിയുക്ത ഉദ്യോഗസ്ഥനുമേൽ അഞ്ഞൂറുരൂപയിൽ കുറയാത്തതും അയ്യായിരം രൂപയിൽ കവിയാത്തതുമായ ഒരു പിഴ ചുമത്താവുന്നതാണ്.

(ബി) നിയുക്ത ഉദ്യോഗസ്ഥൻ സേവനം ലഭ്യമാക്കുന്നതിൽ കാലതാമസം വരുത്തിയതായി കണ്ടെത്തിയാൽ, രണ്ടാം അപ്പീൽ അധികാരിക്ക് രേഖാമൂലമുള്ള ഒരു ഉത്തരവുവഴി, കാരണങ്ങൾ വിവരിച്ചുകൊണ്ട്, നിയുക്ത ഉദ്യോഗസ്ഥനുമേൽ താമസം വരുത്തിയ ഓരോ ദിവസത്തിനും ഒരു ദിവസത്തിന് ഇരുനൂറ്റി അൻപത് രൂപാ നിരക്കിൽ , അതിന്റെ ആകെ തുക അയ്യായിരം രൂപയിൽ കവിയാത്തതുമായ ഒരു പിഴ ചുമത്താവുന്നതാണ്.

എന്നാൽ, അത്തരം ഒരു ശിക്ഷ ചുമത്തുന്നതിനുമുമ്പ് നിയുക്ത ഉദ്യോഗസ്ഥന് പറയുവാനുള്ളത് പറയുവാൻ ഒരു അവസരം നൽകേണ്ടതാണ്.

(2) മതിയായതോ യുക്തിസഹമോ ആയ കാരണമില്ലാതെ 6-ാം വകുപ്പിന്റെ (3)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നിശ്ചിത സമയപരിധിക്കുള്ളിൽ അപ്പീലിൽ തീരുമാനമെടുക്കുന്നതിൽ ഒന്നാം അപ്പീൽ അധികാരി വീഴ്ച വരുത്തിയെന്ന് രണ്ടാം അപ്പീൽ അധികാരി കണ്ടെത്തുന്നപക്ഷം, അദ്ദേഹത്തിന്, രേഖാമൂലമുള്ള ഒരു

ഉത്തരവുവഴി, കാരണങ്ങൾ വിവരിച്ചുകൊണ്ട്, ഒന്നാം അപ്പീൽ അധികാരിയുടെ അഭിപ്രായം രൂപയിൽ കുറഞ്ഞതും അയാൾക്ക് രൂപയിൽ കവിയാത്തതുമായ ഒരു ശിക്ഷ ചുമത്താവുന്നതാണ് :

എന്നാൽ, അത്തരം ഒരു ശിക്ഷ ചുമത്തുന്നതിനുമുമ്പ് ഒന്നാം അപ്പീൽ അധികാരിക്ക് പറയുവാനുള്ളത് പറയുവാൻ ഒരു അവസരം നൽകേണ്ടതാണ്.

(3) നിത്യേന ഉദ്യോഗസ്ഥനോ, ഒന്നാം അപ്പീൽ അധികാരിയോ മതിയായ കാരണമില്ലാതെ, ഈ ആക്ട് പ്രകാരം അദ്ദേഹത്തിന് ഏല്പിച്ചുകൊടുത്ത ചുമതലകൾ നിർവ്വഹിക്കുന്നതിൽ വീഴ്ച വരുത്തിയതായി രണ്ടാം അപ്പീൽ അധികാരിക്ക് ബോധ്യമായി എങ്കിൽ, അയാൾക്കെതിരെ, അയാൾക്ക് ബാധകമായ സർവ്വീസ് ചട്ടങ്ങൾ പ്രകാരം അച്ചടക്ക നടപടിക്ക് ശുപാർശ ചെയ്യാവുന്നതാണ്.

9. ഉത്തമവിശ്വാസത്തിൽ എടുത്ത നടപടികൾക്ക് സാരക്ഷണം.— ഈ ആക്ട് അതിൻകീഴിൽ ഉണ്ടാക്കിയിട്ടുള്ള ഏതെങ്കിലും ചട്ടം പ്രകാരമോ ഉത്തമ വിശ്വാസത്തിൽ ചെയ്തതോ ചെയ്യുവാൻ ഉദ്ദേശിച്ചതോ ആയ ഏതെങ്കിലും കാര്യം സംബന്ധിച്ച് ഏതെങ്കിലും ഉദ്യോഗസ്ഥനോ ഏതെങ്കിലും ആളിനോ എതിരായി യാതൊരു വ്യവഹാരമോ പ്രോസിക്യൂഷനോ അല്ലെങ്കിൽ മറ്റു നിയമനടപടികളോ നിലനിൽക്കുന്നതല്ല.

10. സിവിൽ കോടതികളുടെ അധികാരിയുടെ വിവരങ്ങൾ.— ഈ ആക്ട് പ്രകാരം പുറപ്പെടുവിച്ച ഏതെങ്കിലും ഉത്തരവ് സംബന്ധിച്ച് ഏതെങ്കിലും വ്യവഹാരമോ, അപേക്ഷയോ മറ്റു നടപടിയോ യാതൊരു സിവിൽ കോടതിയും പരിഗണനയ്ക്കെടുക്കാൻ പാടില്ലാത്തതും അത്തരത്തിലുള്ള യാതൊരു ഉത്തരവും, ഈ ആക്ട് പ്രകാരമുള്ള അപ്പീൽ വഴി അല്ലാതെ ചോദ്യം ചെയ്യുവാൻ പാടില്ലാത്തതുമാണ്.

11. ചട്ടങ്ങൾ ഉണ്ടാക്കാനുള്ള അധികാരം.—(1) സർക്കാരിന്, ഗസറ്റ് വിജ്ഞാപനംവഴി, ഈ ആക്റ്റിലെ വ്യവസ്ഥകൾ നടപ്പിലാക്കുന്നതിനായി ചട്ടങ്ങൾ ഉണ്ടാക്കാവുന്നതാണ്.

(2) ഈ ആക്ട് പ്രകാരം ഉണ്ടാക്കുന്ന ഏതൊരു ചട്ടവും, അതുണ്ടാക്കിയതിനുശേഷം, കഴിയുന്നത്രവേഗം, നിയമസഭ സമ്മേളനത്തിലായിരിക്കുമ്പോൾ, സഭ മുമ്പാകെ ഒരു സമ്മേളനത്തിലോ അല്ലെങ്കിൽ തുടർച്ചയായ രണ്ടു സമ്മേളനങ്ങളിലോ വരാവുന്ന ആകെ പതിനാല് ദിവസക്കാലത്തേക്ക് വയ്ക്കേണ്ടതും, അപ്രകാരം അത് ഏത് സമ്മേളനത്തിൽ വയ്ക്കുന്നുവോ ആ സമ്മേളനമോ തൊട്ടടുത്തുവരുന്ന സമ്മേളനമോ അവസാനിക്കുന്നതിനുമുമ്പ്, നിയമസഭ പ്രസ്തുത ചട്ടത്തിൽ ഏതെങ്കിലും രൂപഭേദം വരുത്തുകയോ അല്ലെങ്കിൽ ചട്ടം ഉണ്ടാക്കേണ്ടതില്ലെന്ന് തീരുമാനിക്കുകയോ ചെയ്യുന്നപക്ഷം, ആ ചട്ടത്തിന് അതിനുശേഷം, അതതു സംഗതിപോലെ, അപ്രകാരം രൂപഭേദപ്പെടുത്തിയ രൂപത്തിൽ മാത്രം പ്രാബല്യമുണ്ടായിരിക്കുകയോ അല്ലെങ്കിൽ യാതൊരു പ്രാബല്യവുമില്ലാതിരിക്കുകയോ ചെയ്യുന്നതാകുന്നു; എന്നിരുന്നാലും, അപ്രകാരമുള്ള ഏതെങ്കിലും രൂപഭേദപ്പെടുത്തലോ റദ്ദാക്കലോ, ആ ചട്ടപ്രകാരം മുമ്പ് ചെയ്തിട്ടുള്ള ഏതെങ്കിലും സംഗതിയുടെ സാധൂതയ്ക്ക് ഭംഗം വരാത്ത വിധത്തിൽ ആയിരിക്കേണ്ടതാണ്.

12. വൈഷമ്യങ്ങൾ നീക്കം ചെയ്യുന്നതിനുള്ള അധികാരം.—(1) ഈ ആക്റ്റിലെ വ്യവസ്ഥകൾ നടപ്പാക്കുന്നതിൽ എന്തെങ്കിലും വൈഷമ്യങ്ങൾ ഉണ്ടാകുന്നപക്ഷം, സർക്കാരിന്, ഗസറ്റിൽ പ്രസിദ്ധപ്പെടുത്തിയ ഉത്തരവുമൂലം, അത്തരം വൈഷമ്യങ്ങൾ നീക്കം ചെയ്യുന്നതിന്, ആവശ്യമെന്ന് തങ്ങൾക്ക് തോന്നുന്നതും, ഈ ആക്റ്റിനോ അതിൻകീഴിൽ ഉണ്ടായിട്ടുള്ള ചട്ടങ്ങൾക്കോ വിരുദ്ധമല്ലാത്തതുമായ, ഏതു കാര്യവും, സന്ദർഭം ആവശ്യപ്പെടുന്നതുപോലെ, ചെയ്യാവുന്നതാണ്:

എന്നാൽ, ഈ ആക്റ്റിന്റെ പ്രാരംഭ തീയതി മുതൽ രണ്ടു വർഷത്തിനുശേഷം അങ്ങനെയുള്ള യാതൊരു ഉത്തരവും ഈ വകുപ്പിൻകീഴിൽ പുറപ്പെടുവിക്കുവാൻ പാടുള്ളതല്ല.

(2) (1)-ാം ഉപവകുപ്പുപ്രകാരം പുറപ്പെടുവിച്ച ഓരോ ഉത്തരവും, അതു പുറപ്പെടുവിച്ചതിനുശേഷം കഴിയുന്നത്രവേഗം നിയമസഭ മുമ്പാകെ വയ്ക്കേണ്ടതാണ്.

ഉദ്ദേശ്യകാരണങ്ങളുടെ വിവരണം

പൊതുജീവിതത്തിന്റെ സാമ്പത്തികവും സാമൂഹികവുമായ രംഗത്തെ സുസ്ഥിര വികസനത്തിന് സർഭരണം അത്യന്താപേക്ഷിതമാണ്. സർഭരണത്തിന്റെ മുമ്പ് പ്രധാന ഘടകങ്ങളാണ് ഭരണത്തിന്റെ സുതാര്യതയും ഉത്തരവാദിത്തവും ഉത്തരം നൽകലും. പൗരന്മാരും സേവനദാതാക്കളും തമ്മിലുള്ള ബന്ധം കൂടുതൽ മെച്ചപ്പെടുത്തുന്നതിനും ശക്തിപ്പെടുത്തുന്നതിനും വേണ്ടി മൂന്നാം കേരള ഭരണ പരിഷ്കരണ കമ്മിറ്റിയുടെ ശുപാർശയുടെ അടിസ്ഥാനത്തിൽ ഇതിനകം തന്നെ കേരള സർക്കാർ, പൗരാവകാശ പത്രിക നടപ്പിൽ കൊണ്ടുവന്നിട്ടുള്ളതും കൂടാതെ ഭരണത്തിൽ സുതാര്യത ഉറപ്പുവരുത്തുന്നതിനുവേണ്ടി 2005-ലെ വിവരാവകാശ ആക്റ്റ്, (2005-ലെ 22-ാം കേന്ദ്ര ആക്റ്റ്) പ്രാബല്യത്തിലും ഉണ്ട്.

2. പൗരന്മാരുടെ സങ്കടങ്ങൾക്ക് ഫലപ്രദവും സമയബന്ധിതവുമായ പരിഹാരത്തിന് വ്യവസ്ഥ ചെയ്യുന്നതിനും നിശ്ചിത സമയപരിധിക്കുള്ളിൽ പൊതുജനങ്ങൾക്ക് സേവനം നൽകുന്നതിനും, സർക്കാർ ജീവനക്കാരെ അവർ വീഴ്ചവരുത്തുന്ന കാര്യങ്ങളിൽ ഉത്തരവാദികളാക്കുന്നതിനും വേണ്ടി, സർക്കാർ അതിന്റെ നൂറുദിന പരിപാടിയുടെ ഭാഗമായി, പൊതുജനങ്ങൾക്ക് സർക്കാർ ജീവനക്കാരെ അവരുടെ ജനങ്ങളോടുള്ള ചുമതലകൾക്കും കടമകൾക്കും പ്രതിജ്ഞാബദ്ധതയ്ക്കും നിയമബാധ്യതകൾക്കും അനുസൃതമായി ജനങ്ങളോട് ഉത്തരം പറയേണ്ടി വരുന്ന വിധത്തിൽ, ഒരു സംവിധാനം അതുവഴി ഉണ്ടാക്കത്തക്കവിധത്തിൽ, ഒരു നിയമം ഉണ്ടാക്കുവാൻ തീരുമാനിച്ചു; കൂടാതെ, ഇവയുമായി ബന്ധപ്പെട്ടുള്ള അവകാശങ്ങളെയും നിയമബാധ്യതകളെയും അർഹതകളെയും കുറിച്ച് അവരെ ബോധവാന്മാരാക്കുന്നതിനും ഒരു നിയമം കൊണ്ടുവരാൻ കേരള സർക്കാർ പ്രതിജ്ഞാബദ്ധമാണ്.

3. നിർദ്ദിഷ്ട നിയമനിർമ്മാണം വഴി ജനന സർട്ടിഫിക്കറ്റുകൾ, ജാതി സർട്ടിഫിക്കറ്റുകൾ, വരുമാന സർട്ടിഫിക്കറ്റുകൾ, റേഷൻ കാർഡുകൾ, വാസസ്ഥല സർട്ടിഫിക്കറ്റുകൾ, മരണ സർട്ടിഫിക്കറ്റുകൾ, വീടുകൾക്കും കടകൾക്കുമുള്ള വൈദ്യുതി കണക്ഷൻ, വാട്ടർ കണക്ഷൻ, പാസ്പോർട്ട് വെരിഫിക്കേഷൻ റിപ്പോർട്ട്, തൊഴിൽ വെരിഫിക്കേഷൻ റിപ്പോർട്ട് തുടങ്ങിയവ പോലുള്ള പൊതുസേവനങ്ങൾ, നിർദ്ദിഷ്ട

നിയമത്തിൻകീഴിൽ വിജ്ഞാപനം ചെയ്യുന്നത് ഉറപ്പുവരുത്തുവാൻ സർക്കാർ ഉദ്ദേശിക്കുന്നു. ഒരോ സേവനവും നൽകുന്നതിന് ഒരു സമയപരിധി നിശ്ചയിക്കുന്നതാണ്. ഉദ്യോഗസ്ഥർ അവരുടെ കർത്തവ്യങ്ങൾ പാലിക്കുന്നതിലും വിജ്ഞാപനം ചെയ്യപ്പെട്ടിട്ടുള്ള അത്തരം സേവനങ്ങൾ അങ്ങനെയുള്ള സമയത്തിനകം നൽകുന്നതിലും പരാജയപ്പെട്ടാൽ അവർ പിഴയടയ്ക്കാൻ ബാധ്യസ്ഥരാകുന്നതാണ്. രണ്ടുതലങ്ങളിലുള്ള അപ്പീലിനും ഈ ബിൽ വ്യവസ്ഥ ചെയ്യുന്നു. പൊതുജനങ്ങൾക്ക് സേവനം ലഭ്യമാക്കുന്നതിലെ കാലതാമസം പരിശോധിക്കുന്നതിന് നിർദ്ദിഷ്ട നിയമ നിർമ്മാണം ലക്ഷ്യമിടുന്നു.

4. മേൽപ്പറഞ്ഞ ലക്ഷ്യങ്ങൾ നിറവേറ്റുന്നതിന് ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ് ഈ ബിൽ.

ധനകാര്യമെമ്മോറാണ്ടം

ഈ ബിൽ നിയമമാക്കുകയും പ്രാബല്യത്തിൽ കൊണ്ടുവരികയും ചെയ്താൽ സംസ്ഥാന സഞ്ചിതനിധിയിൽ നിന്നും യാതൊരു അധിക ചെലവും ഉണ്ടാകുന്നതല്ല.

ഏൽപ്പിച്ചുകൊടുത്ത നിയമനിർമ്മാണാധികാരം സംബന്ധിച്ച മെമ്മോറാണ്ടം

ആക്റ്റ് പ്രാബല്യത്തിൽ വരുന്ന തീയതി, ഗസറ്റ് വിജ്ഞാപനം വഴി, നിശ്ചയിക്കുവാൻ സർക്കാരിനെ അധികാരപ്പെടുത്തുവാൻ ബില്ലിലെ 1-ാം ഖണ്ഡം 2-ാം ഉപ ഖണ്ഡം കൊണ്ടുദ്ദേശിക്കുന്നു.

2. എല്ലാ സർക്കാർ വകുപ്പിനെയും, വകുപ്പ് മേധാവിയെയും തദ്ദേശസ്വയംഭരണ സ്ഥാപനത്തിനെയും നിയമാധിഷ്ഠിത നികായത്തിനെയും, ഈ ആക്റ്റിന്റെ ആവശ്യത്തിലേക്കായി, അവർ നൽകേണ്ടുന്ന സേവനങ്ങൾ, നിയുക്ത ഉദ്യോഗസ്ഥന്മാർ, ഒന്നാം അപ്പീൽ അധികാരി, രണ്ടാം അപ്പീൽ അധികാരി, നിശ്ചിത സമയപരിധി എന്നിവ വിജ്ഞാപനം ചെയ്യുന്നതിന് അധികാരപ്പെടുത്തുന്നതിന് ബില്ലിലെ 3-ാം ഖണ്ഡം കൊണ്ട് ഉദ്ദേശിക്കുന്നു.

3. ഒന്നാം അപ്പീൽ അധികാരിയുടെ മുൻപാകെ അപ്പീൽ ഫയൽ ചെയ്യുന്നതിനുള്ള രീതി നിർണ്ണയിക്കുന്നതിനും ആയതിനുള്ള ഫീസ് നിശ്ചയിക്കുന്നതിനും സർക്കാരിനെ അധികാരപ്പെടുത്തുവാൻ ബില്ലിലെ 6-ാം ഖണ്ഡം (1)-ാം ഉപഖണ്ഡം കൊണ്ട് ഉദ്ദേശിക്കുന്നു.

4. രണ്ടാം അപ്പീൽ അധികാരിയുടെ മുൻപാകെ അപ്പീൽ ഫയൽ ചെയ്യുന്നതിനുള്ള രീതി നിർണ്ണയിക്കുന്നതിനും ആയതിനുള്ള ഫീസ് നിശ്ചയിക്കുന്നതിനും സർക്കാരിനെ അധികാരപ്പെടുത്തുവാൻ ബില്ലിലെ 6-ാം ഖണ്ഡം (4)-ാം ഉപഖണ്ഡം കൊണ്ട് ഉദ്ദേശിക്കുന്നു.

5. 1908-ലെ സിവിൽ നടപടി നിയമസംഹിതയ്ക്ക് (1908-ലെ 5-ാം കേന്ദ്ര ആക്റ്റ്) കീഴിൽ അപ്പീൽ അധികാരികൾക്ക് സിവിൽ കോടതിയിൽ നിക്ഷിപ്തമായ അധികാരങ്ങൾ എന്ന പോലെ നിർവ്വഹിക്കുവാൻ കഴിയുന്ന മറ്റുകാര്യങ്ങൾ നിർണ്ണയിക്കുന്നതിന് സർക്കാരിനെ അധികാരപ്പെടുത്തുവാൻ ബില്ലിലെ 7-ാം ഖണ്ഡം (സി) ഉപഖണ്ഡം കൊണ്ട് ഉദ്ദേശിക്കുന്നു.

6. ഈ ആക്റ്റിലെ വ്യവസ്ഥകൾ നടപ്പിലാക്കുന്നതിനായി ചട്ടങ്ങൾ ഉണ്ടാക്കുന്നതിന് സർക്കാരിനെ അധികാരപ്പെടുത്തുവാൻ ബില്ലിലെ 11-ാം ഖണ്ഡം കൊണ്ട് ഉദ്ദേശിക്കുന്നു.

7. ആക്റ്റിലെ വ്യവസ്ഥകൾ നടപ്പിലാക്കുന്നതിൽ എന്തെങ്കിലും വൈഷമ്യങ്ങൾ ഉണ്ടാകുന്നപക്ഷം ആയത് നീക്കം ചെയ്യുന്നതിന് ഉത്തരവ് പുറപ്പെടുവിക്കുന്നതിന് സർക്കാരിനെ അധികാരപ്പെടുത്തുവാൻ ബില്ലിലെ 12-ാം ഖണ്ഡം കൊണ്ട് ഉദ്ദേശിക്കുന്നു.

8. ഏതു കാര്യങ്ങളെ സംബന്ധിച്ചാണോ ചട്ടങ്ങൾ ഉണ്ടാക്കാവുന്നതെന്ന് അല്ലെങ്കിൽ വിജ്ഞാപനങ്ങളോ ഉത്തരവുകളോ പുറപ്പെടുവിക്കാവുന്നതെന്ന് അവ നടപടിക്രമങ്ങൾ സംബന്ധിച്ചവയും സാധാരണമോ ഭരണപരമോ ആയ സ്വഭാവത്തോടുകൂടിയവയും ആകുന്നു. മാത്രമല്ല, ചട്ടങ്ങൾ, അവ ഉണ്ടാക്കിയതിനുശേഷവും, ഉത്തരവുകൾ പുറപ്പെടുവിച്ചശേഷവും, നിയമസഭയുടെ സൂക്ഷ്മപരിശോധനയ്ക്കു വിധേയവുമാണ്. ആയതിനാൽ, ഏൽപ്പിച്ചു കൊടുത്ത നിയമനിർമ്മാണാധികാരം ഒരു സാധാരണ സ്വഭാവത്തോടുകൂടിയതാണ്.

ഉമ്മൻ ചാണ്ടി

(ശരിത്തർജ്ജമ)