

പതിനാലാം കേരള നിയമസഭ

പതിനഞ്ചാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നമിടാത്ത
ചോദ്യം നമ്പർ.3331

19/06/2019-ൽ
മറുപടി

ട്രെയിനിംഗ് കോളേജുകളിലെ ലക്ചറർ നിയമനത്തിനുള്ള സ്പെഷ്യൽ റൂൾസ്

ചോദ്യം

മറുപടി

ശ്രീ.എ.എൻ.ഷംസീർ :

ഡോ.കെ.ടി.ജലീൽ
(ഉന്നത വിദ്യാഭ്യാസ വകുപ്പുമന്ത്രി)

<p>(എ) കോളേജിയേറ്റ് എഡ്യൂക്കേഷൻ വകുപ്പിന് കീഴിലുള്ള ട്രെയിനിംഗ് കോളേജുകളിലെ ലക്ചറർ നിയമനത്തിനുള്ള സ്പെഷ്യൽ റൂൾസ് ഭേദഗതി ചെയ്ത് ഉത്തരവിറങ്ങുന്നതിന് ഇനി എന്തെല്ലാം നടപടിക്രമങ്ങൾ ആണുള്ളതെന്നും ആയത് എന്നത്തേയ്ക്ക് പൂർത്തിയാകുമെന്നും വ്യക്തമാക്കാമോ?</p>	<p>(എ) കോളേജ് വിദ്യാഭ്യാസ വകുപ്പിന് കീഴിലുള്ള ട്രെയിനിംഗ് കോളേജുകൾ ഉൾപ്പെടെയുള്ള കോളേജുകളിലെ സ്പെഷ്യൽ റൂൾ രൂപീകരിക്കുന്നതിനുള്ള പ്രൊപ്പോസൽ കോളേജ് വിദ്യാഭ്യാസ ഡയറക്ടർ ലഭ്യമാക്കിയിരുന്നു. 30.5.2019 - ൽ ഉന്നത വിദ്യാഭ്യാസ വകുപ്പ് പ്രിൻസിപ്പൽ സെക്രട്ടറിയുടെ അദ്ധ്യക്ഷതയിൽ ചേർന്ന ചർച്ചയിൽ പ്രസ്തുത സ്പെഷ്യൽ റൂളിൽ ചില ഭേദഗതികൾ വരുത്തി പുന:സമർപ്പിക്കുന്നതിന് തീരുമാനമായതിന്റെ അടിസ്ഥാനത്തിൽ പ്രസ്തുത ഭേദഗതികൾ കൂടി ഉൾപ്പെടുത്തി പുന:സമർപ്പിക്കാൻ കോളേജ് വിദ്യാഭ്യാസ ഡയറക്ടർക്ക് നിർദ്ദേശം നൽകിയിരുന്നു. ടി പ്രൊപ്പോസൽ ലഭ്യമായാലുടൻ ഉദ്യോഗസ്ഥ ഭരണപരിഷ്കാര വകുപ്പിന്റെ 11884/07/P&ARD തീയതി 19.07.2010 നമ്പർ സർക്കുലറിൽ (പകർപ്പ് ഉള്ളടക്കം ചെയ്യുന്നു) പരാമർശിക്കുന്ന നടപടിക്രമങ്ങൾ പ്രകാരം സ്പെഷ്യൽ റൂൾ രൂപീകരിക്കുന്നതിനുള്ള നടപടി സ്വീകരിക്കുന്നതാണ്.</p>
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സെക്ഷൻ ഓഫീസർ



GOVERNMENT OF KERALA

Personnel and Administrative Reforms (Rules) Department

CIRCULAR

No. 11884/R1/07/P&ARD. Dated, Thiruvananthapuram, 19th July, 2010.

Sub:—Special Rules—Simplified procedure for framing and issuing Special Rules—Consolidated instructions issued.

- Ref:—**
1. Circular Memorandum No. 12438/R1/89/P&ARD dated 1-12-1990.
 2. G. O. (Ms.) No. 5/98/GAD dated 7-1-1998 issued as SRO No. 15/1998.
 3. Circular Memorandum No. 2519/R1/98/P&ARD dated 7-5-1998.
 4. G. O. (Ms.) No. 1/2002/GAD dated 1-1-2002, issued as SRO No. 1/2002.
 5. Circular Memorandum No. 19927/R1/2002/P&ARD dated 4-6-2003.
 6. Circular No. 1140/R1/2004/P&ARD dated 21-2-2004.
 7. U. O. Note No. 15194/Leg. Uni. 2/07/Law dated 4-8-2007.

1. As per the G. O. cited (2) above, Government have amended Part II of the Rules of Business and entrusted the subject of framing and issuing of Special Rules to the Administrative Department concerned in respect of the Departments which come under its administrative control. As per the G. O. cited (4), the requirement of placing the Special Rules before the Council of Ministers for approval has also been dispensed with. The Circular sixth cited was issued detailing the simplified procedure for framing and issuing Special Rules.

2. It has been observed that as per the instructions in para 250 of the Secretariat Office Manual, rule 59 of the Rules of Business and in Chapter 5 of the Law Department Manual, scrutiny of draft statutes, regulations and statutory rules, orders and notifications by the Law Department is mandatory and hence all Administrative Department should send the relevant files with sufficient details to Law Department for the purpose.

3. In the circumstances in modification of the Circular sixth cited, it is instructed that the following step by step procedure should be followed with regard to the framing and issue of Special Rules.

- (i) The Administrative Department will prepare the draft Special Rules in consultation with or on receipt of proposal from the Head of Departments.
- (ii) The next step is to discuss the draft Special Rules with the representatives of the common service organizations and other recognized service organizations, if any, in the department, at a meeting to which a representative of the Personnel and Administrative Reforms Department and Law Department will also be invited. The intimation regarding the discussion along with the draft rules should be sent to the Personnel and Administrative Reforms Department and to Law Department and the representatives of the service organizations concerned fifteen days before the proposed discussion so as to enable them to come prepared.
- (iii) Thereafter the file should be sent to Personnel and Administrative Reforms Department for scrutiny of the draft notification.
- (iv) The draft Special Rules should then be placed before a committee consisting of the following: (1) The Secretary of the Administrative Department (Chairman and Convener), (2) Secretary, Personnel and Administrative Reforms Department or his representative, (3) Law Secretary or his representative, (4) Head of the Department. The Administrative Department should send a copy of the draft Special Rules to the members of the committee at least fifteen days before the proposed meeting to provide sufficient time for scrutiny. The representative of the Personnel and Administrative Reforms Department will then offer the views of his/her department in the meeting itself.

- (v) Thereafter the file should be sent to the Law Department for scrutiny of the draft Special Rules.
- (vi) The Administrative Department should then refer the proposal to the Kerala Public Service Commission for advice. The draft of the letter forwarding the draft Notification to Kerala Public Service Commission shall be shown to Personnel and Administrative Reforms Department. After considering the advice of the Kerala Public Service Commission, the Administrative Department will finalise the draft Special Rules.
- (vii) The Administrative Department should then send the draft Special Rules to the concerned Subject Committee for consideration. After considering the recommendation, if any, of the Subject Committee, the Administrative Department will finalise the Special Rules. In case of special urgency like court directions having time-limit etc. the alternative procedure of issuing the Special Rules and simultaneously transmitting a copy of the same to the Subject Committee can be followed.
- (viii) The finalized draft Special Rules should then be approved and issued as an S. R. O. notification in the Gazette.
- (ix) It is not within the ambit of the above procedures to finalise matters which require separate decision and orders from Government, such as proposals in regard to creation of new category, grades, change in the status of the post, alternation of ratio/percentage of promotion/by-transfer etc.
- (x) 200 copies of the S. R. O. so issued shall be forwarded to the Secretary, Legislature Secretariat as soon as possible for being laid before the Legislative Assembly as required under Section 2(2) of Kerala Public Services Act, 1968.

T. J. MANIYER,
Secretary to Government.

To

All Principal Secretaries/Secretaries.
All Departments (All sections) of the Secretariat including Law Department and Finance Department.



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