THE TAMIL NADU PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS) ACT, 2022.

ACT NO. 14 OF 2022.

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THE TAMIL NADU PUBLIC SERVICE COMMISSION (ADDITIONAL FUNCTIONS) ACT, 2022.

ACT NO. 14 OF 2022

[31st January 2022]

An Act to provide for entrustment of additional functions to the Tamil Nadu Public Service Commission as respects certain posts in State owned Public Sector Undertakings, State Corporations, statutory Boards and Authorities.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-second Year of the Republic of India as follows:—

1. Short title and commencement.— (1) This Act may be called the Tamil Nadu Public Service Commission (Additional Functions) Act, 2022.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) "Commission" means the Tamil Nadu Public Service Commission;

(b) "Government" means the State Government;

(c) "organisation" means a State owned Public Sector Undertaking, State Corporation, or a statutory Board or Authority under the control of the Government;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "reserve list" means a list which is prepared so as to contain not less than twenty five percent of the candidates of each reservation group including general category in the selection list;

(f) "State" means the State of Tamil Nadu.

3. Request for recruitment.— Notwithstanding anything contained in any State law for the time being in force, any organisation may request the Commission, in such form as may be prescribed, to recruit candidates for appointment to posts in that organisation: Provided that no

such request shall be made in respect of the post of Driver and the posts classified as Group D in the Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

4. Recruitment by Commission.—(1) The Commission shall consolidate requisitions received under section 3 from time to time, conduct recruitments twice in a year, select the candidates and prepare a selection list as well as a reserve list, for each post by following the principles of reservation of appointments specified in section 27 of Tamil Nadu Government Servants (Conditions of Service) Act, 2016 and forward the selection lists to the organisations concerned:

Provided that the Commission may conduct recruitment at any time, on requisition under special circumstances from any organisation.

(2) The reserve list shall be in force for a period of one year from the date of forwarding the selection list or until a selection list is drawn subsequently, whichever is earlier.

5. Appointment of candidates.— (1) On receipt of the selection list, the organisation shall issue appointment orders to the selected candidates.

(2) If any selected candidate fails to join duty in the organisation within a period of three months from the date of receipt of the appointment order, he shall forfeit his right for appointment:

Provided that the organisation may, in special circumstances, provide further period not exceeding three months to join duty.

(3) On the failure of the candidate to join duty within the said period, the organisation may request the Commission to send a candidate from the reserve list for appointment.

6. Power to remove difficulties.— If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, published in the Tamil Nadu Government Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to them to be necessary or expedient for removing the difficulty:

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

7. Power to make rules.—(1) The Government may make rules to carry out the provisions of this Act.

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(2) (a) All rules made under this Act shall be published in the Tamil Nadu Government Gazette and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are so published.

(3) Every rule made or notification or order issued under this Act shall, as soon as possible, after it is made or issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or notification or order, or the Assembly decides that the rule or notification or order should not be made or issued, the rule or notification or order 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 or notification or order.

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