

Annexure K31

©
കേരള സർക്കാർ
Government of Kerala
2018



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N)/634/2018-20

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 7 } Vol. VII }	തിരുവനന്തപുരം, വെള്ളി Thiruvananthapuram, Friday	2018 സെപ്റ്റംബർ 28 28th September 2018	നമ്പർ } No. } 2471
		1194 കന്നി 12 12th Kanni 1194	
		1940 ആശ്വിനം 6 6th Aswina 1940	

GOVERNMENT OF KERALA

Consumer Affairs Department

NOTIFICATION

G. O. (P) No. 11/2018/CAD.

Dated, Thiruvananthapuram, 26th September, 2018
10th Kanni, 1194.

S. R. O. No. 682/2018.— In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968) and in supersession of the Kerala Legal Metrology Subordinate Service Special Rules, 2013, issued under G. O. (P) No. 2/2013/CAD, dated 29th January, 2013 and published as S. R. O. No. 58/2013 in the Kerala Gazette Extraordinary No. 258 dated 31st January, 2013 and any orders on the subject and in conformity with

PRINTED AND PUBLISHED BY THE SUPERINTENDENT OF GOVERNMENT PRESSES
AT THE GOVERNMENT CENTRAL PRESS, THIRUVANANTHAPURAM, 2018
33/3659/2018/S-28

sub-clause (h) of sub-section (2) of section 52 of the Legal Metrology Act, 2009 (Central Act 1 of 2010) read with rule 28 of the Legal Metrology (General) Rules, 2011, the Government of Kerala hereby make the following Special Rules for the Kerala Legal Metrology Subordinate Service, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Legal Metrology Subordinate Service Special Rules, 2018.

(2) Save as otherwise provided in these rules, they shall be deemed to have come into force on the 1st day of April, 2011.

2. *Constitution.*—The service shall consist of the following categories of officers, namely:—

Category 1	..	Inspector of Legal Metrology
Category 2	..	Technical Assistant
Category 3	..	Inspecting Assistant

3. *Appointment.*— Appointment to various categories specified in column (1) of Table below shall be made by the method of appointment specified in the corresponding entry in column (2), thereof.

TABLE

Category	Method of Appointment
(1)	(2)
1. Inspector of Legal Metrology	(1) By direct recruitment; and (2) By transfer/By promotion from approved probationers in the cadre of,— A. Junior Superintendent; B. Technical Assistant, in the absence of qualified persons under A above; C. (i) Head Clerk, in the absence of qualified persons under A and B above;

(1)

(2)

(ii) Senior Clerk in the absence of qualified persons under A, B and C (i) above;

(iii) Clerk/Lower Division Clerk/ Typist/ Clerk Typist with three years service in Legal Metrology Department in the absence of qualified persons under A, B, C (i) and (ii) above;

D. Inspecting Assistant with three years service as Inspecting Assistant in Legal Metrology Department.

Note.—1. Appointment by direct recruitment under item (1) above and by transfer/by promotion under item (2) above shall be made in the ratio of 1:1 on the cadre strength of the category 1.

2. In the case of appointment by transfer/by promotion in the absence of qualified person from item under A and B above, a ratio of 3:2 shall be maintained between item C and D above.

(3) The eligibility of a category shall be decided based on the availability of qualified persons at the time of occurrence of vacancy.

4. Promotion of Inspecting Assistant to category 1 shall come into force with effect from the date of notification of these rules.

2. Technical Assistant .. By direct recruitment

- | (1) | (2) |
|-------------------------|---|
| 3. Inspecting Assistant | 1. By direct recruitment
2. By transfer from the class IV employees in the Legal Metrology Department
<i>Note.</i> —1. Appointment by direct recruitment and by transfer to category 3 shall be made in the ratio 1:1.
2. Note 1 above shall come into force w.e.f. the date of notification of these rules. |

4. *Qualifications.*—No person shall be eligible for appointment to the categories specified in column (1) of Table below unless he possesses the qualifications specified in the corresponding entries in column (2), thereof.

TABLE

Category (1)	Qualification (2)
1. Inspector of Legal Metrology	(1) Graduation in Science with Physics as one of the subjects conferred/recognized by any of the Universities in Kerala. or B. Tech. awarded/recognized by any of the Universities in Kerala. or Diploma in Engineering after undergoing a regular course of study of three years with three years professional experience in Central or State Government service or in Public Sector Undertaking or Registered Private Sector Undertaking after acquiring the basic qualification prescribed for the post, in the field of Engineering in which the candidate has earned the Diploma.

- | (1) | (2) |
|-------------------------|---|
| | (2) Must be able to speak, read and write Malayalam.
<i>Note.</i> —1. Experience in the Department of Legal Metrology shall be considered equivalent to professional experience for the purpose of this rule.
2. In addition to the qualifications mentioned above, the persons appointed by transfer/by promotion shall have successfully <u>completed probation in the feeder category</u> and shall have passed Manual of Office Procedure and Account Test Lower. |
| 2. Technical Assistant | Diploma in Engineering awarded or recognized by the Board of Technical Examination Kerala after undergoing a regular course of study for three years. |
| 3. Inspecting Assistant | (1) A pass in Plus Two or equivalent
or
(2) SSLC or equivalent and holds a National Trade Certificate issued by National Council for Vocational Training or its equivalent.
(3) In addition to the qualifications mentioned above, the persons appointed by transfer/ by promotion category shall have successfully completed probation in the feeder category and shall have passed Manual of Office Procedure and Account Test Lower. The selections shall be in accordance with the |

(1)

(2)

seniority in Class-IV category and those who pass the eligibility test, to be conducted by the Kerala Public Service Commission once in a year. The minimum mark required for a pass shall be 40% (forty per cent).

Note.—Nothing in items (1), (2) and (3) above shall apply to persons who have been working as Inspecting Assistant or as Class-IV employee in the department of Legal Metrology as on the date of notification of these Rules.

5. *Qualification regarding age.*—No person shall be eligible for appointment by direct recruitment if he has not completed eighteen years of age or has completed thirty six years of age on the first day of January of the year in which applications are invited, with usual relaxation allowable to Scheduled Castes/Scheduled Tribes and Other Backward Classes.

6. *Appointing authority.*—The appointing authority in respect of all the categories in the service shall be the Controller of Legal Metrology.

7. *Reservation of appointment.*—The rules relating to reservation of appointments contained in the rules 14 to 17 of the Kerala State and Subordinate Service Rules, 1958 shall apply to appointment by direct recruitment.

8. *Probation.*—Every person appointed to any of the categories shall, from the date on which he joins duty, be on probation:—

- (i) If appointed by direct recruitment, for a total period of two years on duty within a continuous period of three years;
- (ii) If appointed by transfer through Public Service Commission where direct recruitment is one of the methods of appointment to the category concerned, for a total period of two years on duty within a continuous period of three years; and
- (iii) If appointed by promotion or by transfer where direct recruitment is not one of the methods of appointment for a total period of one year on duty within a continuous period of two years.

9. *Uniform.*—The Inspector of Legal Metrology and Inspecting Assistant shall wear such uniform as specified in the Kerala Legal Metrology (Enforcement) Rules, 2012.

10. *Training.*—(1) Every person appointed to the post of Inspector of Legal Metrology shall have to successfully complete the Basic Training Course as specified in the Legal Metrology Act, 2009 (Central Act 1 of 2010) or any rule made thereunder if he had not undergone that training previously;

(2) Every person appointed to the post of Technical Assistant shall have to undergo training for a period not less than one month in the Government of India Mint, Mumbai or in a factory/service centre of a recognized manufacturer of working standards. He shall be physically prepared to carry out the repair and maintenance of working standards:

Provided that nothing in this sub-rule (1) or (2) shall apply to any person who attain the age of fifty.

(3) During the period of training, the trainees shall be paid the pay and allowances as would be admissible to them from time to time. Travelling Allowance shall be paid as per the Kerala Service Rules. The training period shall be treated as duty as defined in sub-clause (iii) of clause (7) of rule 12, Part I, Kerala Service Rules.

11. *Test.*—Every person appointed to the category 1, Inspector of Legal Metrology, shall pass:—

- (i) Account Test (Lower) or (Higher);
- (ii) Test on Manual of Office Procedure; and
- (iii) A test on the Legal Metrology Act, 2009, and Rules, during the period of probation, if not passed previously:

Provided that nothing in clause (iii) above shall apply to persons who have passed a test on the Standards of Weights and Measures Act, 1976 (Central Act 60 of 1976) and the Standards of Weights and Measures (Enforcement) Act, 1985 (Central Act 54 of 1985) and Rules made thereunder.

By order of the Governor;

MINI ANTONY,
Secretary to Government.

Explanatory Note

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

As per section 57 of the Legal Metrology Act, 2009 (Central Act 1 of 2010), the Standards of Weights and Measures Act, 1976 (Central Act 60 of 1976) and the Standards of Weights and Measures (Enforcement) Act, 1985 (Central Act 54 of 1985) were repealed. As per rule 28 of the Legal Metrology (General) Rules, 2011 issued under Legal Metrology Act, 2009, the qualifications of Legal Metrology Officers has been prescribed.

The Subject Committee—XI, in its meeting held on 9th June, 2014 has recommended to cancel the Kerala Legal Metrology Subordinate Service Special Rules, 2013 issued by notification under G. O. (P) No. 2/2013/CAD, dated 29th January, 2013 and published as S. R. O. No. 68/2013 in the Kerala Gazette Extraordinary No. 258 dated 31st January, 2013, since the same was not in conformity with the provisions of the Legal Metrology Act, 2009 (Central Act 1 of 2010) and the Legal Metrology (General) Rules, 2011. The Subordinate Legislation Committee (2014-16) in its meeting held on 30th April, 2014 has also recommended to cancel the above rules.

Hence Government have decided to frame the Kerala Legal Metrology Subordinate Service Special Rules under sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968) in supersession of the rule issued under G. O. (P) No. 2/2013/CAD, dated 29th January, 2013 and published as S. R. O. No. 68/2013 in the Kerala Gazette Extraordinary No. 258 dated 31st January, 2013 in conformity with the Legal Metrology Act, 2009 (Central Act 1 of 2010) and the Legal Metrology (General) Rules, 2011 made thereunder.

The notification is intended to achieve the above object.
