

**HIGH COURT OF KERALA  
JUDICIAL TEST (HIGHER) 2020  
PART-II, PAPER-IV**

**SERVICE LAWS**

Total Marks 100  
Time: 3 hrs

**PART A**

**Answer any SEVEN questions. Each carries 5 marks.**

1. The Special Rules notified in the Gazette, after 2.2.1993, applicable to a service laying down conditions of service prescribes a ratio between different methods of appointment/recruitment to be applied to arising vacancies – Explain the scope of applying Note 3 to Rule 5 of the K.S. & S.S.R.?
2. General Conditions contained in the notification issued by the P.S.C. Inviting applications for appointment laying down that all essential certificates should be produced by the last date for submission of application. 'A', a candidate produced the Caste Certificate after the last date for submission of application but before the finalization of the ranked list – State whether 'A's application is liable to be accepted or rejected – Explain?
3. What is Last Grade Service?
4. A widow who was receiving pension remarry – State whether she is entitled to receive pension?
5. State the distinction between fixation of pay under Rule 28A and Rule 30 of Part I, K.S.R.
6. What will be legal consequences when there is no vacancy in a lower category to which a full member in the High Court service is reduced substantively?
7. What is the distinction between direct recruitment and recruitment by transfer?

8. Mention the provision under which an employee can claim maternity leave and state whether a temporary female officer is entitled to avail maternity leave.
9. Mention the statutory provision in the Kerala High Court Service Rules enabling an employee to relinquish any right or privilege to which he is entitled to.
10. Explain Compulsory retirement and Voluntary retirement?

[7x5=35]

**PART B**

**Answer any TWO questions. Each carries 10 marks.**

1. 'A' is suspended from service while on leave without allowances. On the expiry of the leave, he continues to be on suspension. State whether he is eligible for any subsistence allowance, during the above period.
2. An officer avails casual leave for 5 days. In continuation of that leave, he applies for earned leave for 30 days. Whether the earned leave applied for can be granted?
3. What is the minimum period of the C.R. required to be considered by the Departmental Promotion Committee in the case of an officer who has been reinstated in service after suspension imposing a penalty of censure for appointment to a selection post?
4. 'A' is being paid pension for his past Government Service. 'A' owes a debt to 'B'. 'B' obtains a decree of a Court for recovery of the money due from 'A'. Can the pension payable to 'A' be attached or subject to seizure in satisfaction of the decree.

[2x10=20]

**PART C**

**Answer any THREE questions. Each carries 15 marks.**

1. A Government servant who is convicted by Criminal Court files an appeal and gets an order suspending the sentence. Is he entitled to continue in service on the strength of the order in CrI.Appeal? What is the scope and ambit of Art.311 of the Constitution of India in the above circumstance?

2. Is there any provision in the KS & SSR which empowers the Government to extend the period of probation. If so, can the Government extend the probation after the period of probation prescribed in the Special Rules expires?
3. What is the period of validity of a ranked list published by the P.S.C other than the ranked list of candidates for admission to training course that leads to automatic appointment to services?
4. Which are the authorities competent to place a Government employee under suspension under Rule 10 of the Classification, Control and Appeal Rules? Will the order of suspension of a Government employee revive in case the penalty of dismissal, removal or compulsory retirement of such employee is set aside in appeal? Explain.
5. Can the Chief Justice of the High Court impose a penalty in a disciplinary proceeding against an employee for which the competent authority is the Registrar?

[3x15=45]