

The Public Employment (Requirement as To Residence) Act, 1957

February 18, 2013

[Act No. 44 of 1957]

[7th December, 1957]

An Act to make in pursuance of clause (3) of article 16 of the Constitution special provisions for requirement as to residence in regard to certain classes of public employment in certain areas and to repeal existing laws prescribing any such requirement.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows.

1. Short title and commencement.

(1) This Act may be called the Public Employment (Requirement as to Residence) Act, 1957.

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

2. Repeal of existing laws prescribing requirements as to residence.

Upon the commencement of this Act, any law then in force in any State or Union territory by virtue of clause (b) of article 35 of the Constitution prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, that State or Union territory, any requirement as to residence therein prior to such employment or appointment shall cease to have effect and is hereby repealed.

3. Power to make rules in respect of certain classes of public employment in certain areas.

(1) The Central Government may, by notification in the Official Gazette, make rules prescribing, in regard to appointments to-

(a) Any subordinate service or post under the State Government of Andhra Pradesh, or

(b) Any subordinate service or post under the control of the Administrator of Himachal Pradesh, Manipur or Tripura, or

(c) Any service or post under a local authority (other than a cantonment board) within the Telangana area of Andhra Pradesh or within the Union territory of Himachal Pradesh, Manipur or Tripura,

Any requirement as to residence within the Telangana area or the said Union territory, as the case may be, prior to such appointment.

(2) In this section.-

(a) "Subordinate service or post" means any service or post appointments to which are not notified in the Official Gazette but includes any service of tehsildars;

(b) "Telangana area" comprises all the territories specified in sub-section (1) of section 3 of the States Reorganisation Act, 1956(37 of 1956).

4. Parliamentary scrutiny of rules.

All rules made under section 3 shall, as soon as may be after they are made, be laid for not less than thirty days before each House of Parliament and shall be subject to such modifications as Parliament may make during the session in which they are so laid, or in the session immediately following.

5. Duration of section 3 and rules.

Section 3 and all rules made thereunder shall cease to have effect on the expiration of five years from the commencement of this Act, but such cesser shall not affect the validity of any appointment previously made in pursuance of the said rules.
